HAVE PATRON LEAVE ID AND
SIGN FOR THIS VOLUME

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY

CLOSED
STACKS

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

MAY 26 1978

DOCUMENTS DEPARTMENT

SAN FRANCISCO PUBLIC LIBRARY

3 1223 03475 2841

Digitized by the Internet Archive
in 2011 with funding from
California State Library Califa/LSTA Grant

http://www.archive.org/details/minutespo1976sanf

D
REF
352.2
Sa52Im
JA-JE
1976

DOCUMENTS
JAN 16 1976
SAN FRANCISCO
PUBLIC LIBRARY

7 JANUARY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 7, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Garner, Cardoza, Buckley

Commissioner Buckley presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of December 29, 1975, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Garner, Cardoza, Buckley

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

1350-43rd AVENUE - SAN FRANCISCO UNIFIED SCHOOL DIST.

s) At 1350 - 43rd Avenue, revoke existing 120' white zone.

b) At 1350 - 43rd Avenue, install a 51' white zone, to extend from 27' - 78' north of the south property line.

c) At 1350 - 43rd Avenue, install a 138' white zone, to extend south of the north property line.

d) Permission to display portable No Parking signs in conjunction with this white zone.

(A request will be made to the Department of Public Works to install signs, reading "No Stopping - Bus Zone 7 A.M. - 4 P.M.")

Ref
353.9
Se6rlap
1776
DOCUMENTS
JAN 16 1976
SAN FRANCISCO
PUBLIC LIBRARY

2798 SCOTT STREET - SAN FRANCISCO WATER DEPARTMENT

a) At 2798 Scott Street, install a 24' red zone, to extend south of Green Street.

1004 GUERRERO STREET - LOUFAS BROS. FRUIT MARKET

a) At 1004 Guerrero Street, install a 40' green zone, to extend from 21' - 61' south of 22nd Street.

3700 SACRAMENTO STREET - PRESIDIO PROPERTIES, LTD.

a) At 3700 Sacramento Street, install a 37' white zone, to extend west of Spruce Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Garner, Cardoza, Buckley

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 329 feet of white, green and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 1-76

ALNETTA BAILEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alnetta Bailey against the City and County of San Francisco in the sum of $45.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 29, 1975

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 2-76

JAMES C. BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James C. Brown against the City and County of San Francisco in the sum of $27.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 21, 1975

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 3-76

KEN E. KINDRED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ken E. Kindred against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1975

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 4-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $59,930 from any fund designated by the Mayor or Controller, and credit it to the following appropriation in the amount indicated:

Appropriation No. 5.161.120.019.000
Differential Pay-Uniform Force $59,930

in order to provide funds for uniform personnel working in like work/like pay capacity.

AYES: Commissioners Garner, Cardoza, Buckley

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Police Officer Robert Barry, Central Police Station, for permission to accept an unsolicited reward of $50.00 from the San Francisco Newspaper Printing Company for the capture and arrest of two suspects vandalizing newspaper racks, be, and the same is hereby approved.

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 5-76

EXPRESSING INTENT TO APPROVE BUDGET ITEMS IN THE POLICE DEPARTMENT'S ANNUAL BUDGET FOR THE SUBSEQUENT THREE FISCAL YEARS FOR THE INSTALLATION AND IMPLEMENTATION OF A RELIABLE COMPUTER ASSISTED DISPATCH SYSTEM.

WHEREAS, the primary objectives of a computer assisted dispatch system are to reduce response time and produce useful management reports; and,

WHEREAS, the development and implementation of a computer assisted dispatch system constituted the principal justification for the Law Enforcement Assistance Administration funding of the new communications facility; and

WHEREAS, it was incumbent upon the Police Department to have the computer assisted dispatch system programmed on existing City resources, prior deletion of funds by the City's approving authorities for the acquisition of additional Police dedicated resources notwithstanding; and

WHEREAS, said computer assisted dispatch system within the communications center is not operational due to serious defects in transaction turnaround time and in the reliability of the overall operating system, system and application software as characterized by frequent failures and slow program recovery; and

WHEREAS, it is the current concensus that the aforementioned computer assisted dispatch system can never be reliably operational under the present IBM 370/CABLE hardware and communication software configuration; now, therefore be it

RESOLVED, that the Board of Supervisors intends to approve those items in the Police Department's annual budgets for the subsequent three fiscal years in an approximate total amount of $788,000 to include the cost of financing for the acquisition of dedicated facilities, final conversion and software development, equipment installation, program testing, cutover, and documentation of an operational and reliable computer assisted dispatch system; and, be it

FURTHER RESOLVED, that copies of this Resolution be forwarded to His Honor, the Mayor, with the expressed hope that all necessary actions be taken to realize its intent.

AYES: Commissioners Ganrer, Cardoza, Buckley

RESOLUTION NO. 6-76

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor, Gold Medal, Silver Medal, and Bronze Medal under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Monday, January 5, 1976:

Police Officer Joseph P. Curtin	Gold Medal Of Valor
Police Officer Thomas P. O'Connell	Gold Medal of Valor
Inspector John Peter Otten	Silver Medal of Valor

*Police Officer Robert J. Brodnik	Silver Medal of Valor
Police Officer Lee A. McVeigh	Silver Medal of Valor
*Police Officer John L. Sheveland	Silver Medal of Valor
Police Officer Karl R. Strom	Silver Medal of Valor
Police Officer Stephen R. Wolf	Silver Medal of Valor
Lieutenant Raymond D. White	Bronze Medal of Valor
Inspector Benjamin D. Luttringer	Bronze Medal of Valor
Assistant Inspector Christopher B. Sullivan	Bronze Medal of Valor
Assistant Inspector Donald P. Kennealy	Bronze Medal of Valor
Assistant Inspector George E. Matelli	Bronze Medal of Valor
Assistant Inspector James J. Molinari	Bronze Medal of Valor
Police Officer Stephen N. Bosshard	Bronze Medal of Valor
Police Officer Gregorio Corrales	Bronze Medal of Valor
Police Officer Bob C. Davis	Bronze Medal of Valor
Police Officer Daniel J. Foley	Bronze Medal of Valor
Police Officer Gerald R. Golz	Bronze Medal of Valor
Police Officer Richard E. Hargens	Bronze Medal of Valor
Police Officer Kenneth E. Hartman	Bronze Medal of Valor
Police Officer Robert C. Hernandez	Bronze Medal of Valor
Police Officer David W. Horton	Bronze Medal of Valor
Police Officer Robert J. Keays	Bronze Medal of Valor
Police Officer Herbert E. Lockner	Bronze Medal of Valor
Police Officer Terence M. Merlo	Bronze Medal of Valor
Police Officer Joaquin G. Santos	Bronze Medal of Valor
Police Officer Richard G. Sheehan	Bronze Medal of Valor
Police Officer Robert L. Vitali	Bronze Medal of Valor
Police Officer Gregory W. Winters	Bronze Medal of Valor

* Changed from Bronze Medal of Valor to Silver Medal of Valor on recommendation of the Police Commission.

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 7-76

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Awards Committee held on Monday, January 5, 1976; and

WHEREAS, Chief of Police Donald M. Scott has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Joseph P. Curtin and Thomas P. O'Connell, be, and they are hereby awarded Gold Medals of Valor and granted a reward of $400 each as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector John Peter Otten, Police Officers Robert J. Brodnik, Lee A. McVeigh, John L. Sheveland, Karl R. Strom, and Stephen R. Wolf, be, and they are hereby awarded Silver Medals of Valor and granted a reward of $100 each as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant Raymond D. White, Inspector Benjamin D.Luttringer, Assistant Inspectors Christopher B. Sullivan, Donald P. Kennealy, George E. Matelli, James J. Molinari, Police Officers Stephen N. Bosshard, Gregorio Corrales, Bob C. Davis, Daniel J. Foley, Gerald B. Golz, Richard E. Hargens, Kenneth E. Hartman, Robert C. Hernandez, David W. Horton, Robert J. Keays, Herbert E. Lockner, Terence M. Merlo, Joaquin G. Santos, Richard G. Sheehan, Robert L. Vitali, and Gregory W.Winters, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of $50 each as provided for under said section of the Charter.

AYES: Commissioners Garner, Cardoza, Buckley

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, January 3, 1976, at 2400 hours, as follows:

Daily average for the week, sick	48
Daily average for the week, disabled	93
TOTAL	141
Daily percentage for the week, sick	2.47
Daily percentage for the week, disabled	4.98
TOTAL	7.45

The report was ordered filed.

AYES: Commissioners Garner, Cardoza, Buckley

RESOLUTION NO. 8-76

HEARING OF SERGEANT WILLIAM S. SISACK, CENTRAL POLICE STATION.

WHEREAS, the hearing of Sergeant William S. Sisack was called, it having been set for this date; and

WHEREAS, Mr. James Martin MacInnes, attorney for Sergeant William S. Sisack, Central Police Station, has requested a continuance of the hearing before the Police Commission as previous commitments have prevented him from devoting time and attention to this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Sergeant William S. Sisack, is set for Wednesday, January 28, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Garner, Cardoza, Buckley

STATEMENT BY MARVIN E.CARDOZA, SAN FRANCISCO POLICE COMMISSION

Today is the first official day of the retirements of Chief of Police Donald M. Scott, Chief of Inspectors Charles A. Barca and Director of Traffic Edward B. Cummins.

San Francisco has been fortunate, indeed, to have had the services of these gentlemen. Their retirements bring to a close more than a century of combined experience in law enforcement. They are truly outstanding professionals whose courageous and dedicated service to the people of San Francisco will be sorely missed.

By reasons of temperament and intellect they had chosen long ago a career which was at the outset a difficult and demanding one. Their profession insists on high ethical and moral standards, unselfish devotion and dedication to the protection of humanity. And to that end, they have served our city and its citizens well.

It's a tough job and no one has to be in law enforcement. Yet I'd like to believe that those of us who are in law enforcement also believe in the dignity of the law and are dedicated to doing the best job.

We are especially proud of these men who have done such an outstanding job. Let the records of this commission meeting show our appreciation for the fine work they have performed during their distinguished careers with the San Francisco Police Department.

Looking ahead I believe it's important to emphasize, in view of these officers' dedicated service, that we must continue to seek support from all our citizens in fighting crime. Police Officers alone cannot do the job. The support and respect of our citizens is vital. Without it police are waging a losing battle.

The real issue in meeting the varied challenges of today's sophisticated and ever changing

society must be to make the streets of San Francisco safe for all citizens. Law enforcement is everybody's business. Through a strong relationship of mutual trust and respect, everyone can win.

To each of these gentlemen and their families go our best wishes for an abundance of health, happiness and prosperity in the coming years.

Thank you for a job well done.

STATEMENT BY DEPUTY CHIEF OF POLICE WILLIAM J. KEAYS.

Mr. President, I'd like to add an item to the calendar.

I would like to say, on behalf of all policemen in the San Francisco Police Department, police women, all the employees, that I really think the three of you have done a great job. I think all of you are just fine gentlemen. You're calm, you're dignified, you give us a lot of prestige, you've given us a lot of backing, and I'd like to say that I consider that always you would be honorary policemen in the San Francisco Police Department -- and that and five dollars will fix any tag.

STATEMENT MY MR. STEPHEN BRUCE BLEY, ATTORNEY FOR SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

I would like to, on behalf of the San Francisco Police Officers' Association, second the very apropos and proper statement that Commissioner Cardoza has made.

I think all members of the San Francisco Police Department feel as you gentlemen do that those three gentlemen have been a great asset both to the Department and to the well-being of the City and County of San Francisco, and I'd like the official record to reflect that.

HEARING OF SERGEANT CLIFFORD T. WATTS, NORTHERN POLICE STATION

The hearing of Sergeant Clifford T. Watts, Northern Police Station, was called, it having been set for this date. Sergeant Clifford T. Watts was charged wtih violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

While on duty, being under the influence of intoxicating liquor. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Joseph M. Flynn, Captain of Police, Commanding Officer of Northern Police Station.

Sergeant Clifford T. Watts appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Director of Personnel, Captain George Eimil, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Sergeant Clifford T. Watts entered a plea of "guilty" to Specification No.1.

The following named witnesses appeared for the Prosecution,were sworn and testified:

Lieutenant Willis A. Casey
Personnel and Training

Police Officer John F. Devine
Special Assistant to Director of
Personnel and Training

A closing statement was then presented by Mr. Stephen Bruce Bley, Attorney at Law.

The Commission took the matter under submission and then recessed from 1808 hours to 1823 hours after which the following resolution was adopted:

RESOLUTION NO. 9-76

DECISION - HEARING OF SERGEANT CLIFFORD T. WATTS, NORTHERN POLICE STATION.

WHEREAS, on December 23, 1975, Joseph M. Flynn, Captain of Police, Commanding Officer of Northern Police Station, made and served charges against Sergeant Clifford T. Watts, as follows:

SPECIFICATION NO. 1

a) That the accused, on Thursday, 18 December 1975, at or about 2250 hours, was observed by his superior officer in a place commonly known as the "Embassy Club," 600 Polk Street;

b) Subsequently, the accused was ordered to report to the Northern Police Station, where he was ordered to submit to a Breathalyzer test;

c) The Breathalyzer test indicated that the per cent of blood alcohol was .16 and .15 in separate tests;

d) Because of the above-stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January 7, 1976, and that on Wednesday, January 7, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Sergeant Clifford T. Watts, Northern Police Station, as contained in Specification No. 1, are sustained by the evidence presented at the hearing and that Sergeant Clifford T. Watts did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Clifford T. Watts has violated Specification No. 1, Section 2.125, of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended for a period of twenty (20) calendar days without pay, commencing Friday, December 19, 1975 at 0001 hours, and terminating on Wednesday, January 7, 1976 at 2400 hours, and that he be placed on a one (1) year probationary status commencing Thursday, January 8, 1976, at 0001 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant Clifford T. Watts, participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Devine, Special Assistant to Director of Personnel and Training, and Sergeant Clifford T. Watts are to report back to the Police Commission on January 12, 1977, with a report on Sergeant Watt's progress and condition. If Sergeant Watt's record is clean his probationary period will be terminated.

Recess taken in the hearing
of Sergeant Watts:
1808 hours to 1823 hours.

AYES: Commissioners Garner, Cardoza, Buckley

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

STATEMENT BY MR. STEPHEN BRUCE BLEY, ATTORNEY FOR SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

I would like the record to reflect, on behalf of myself and on behalf of the Police Officers' Association, my gratitude to you three gentlemen. I would hope that I would see you here next Wednesday night and

that this is not the last supper.

I would like to thank all three of you for the kindnesses you've shown everyone who appears before you.

I have not always agreed with you and you rarely agree with me, but I do respect all of you gentlemen for the patience and courtesy, and I know the deep searching that you all do before you make a ruling. It's difficult for defense counsel, whether criminal, civil, or any other field, to always remain calm and dispassionate when he finds clients being held responsible for acts which he feels personally they are not responsible, but perhaps that's why we have a system whereby there must be a judge and/or jury. But at no time have I ever felt that the three of you gentlemen haven't given your best effort to reach the decision you've reached, and I would like the record to reflect that all three of you are highly respected and esteemed throughout the Police Department and administration of the Police Officers' Association and personally by myself.

It's not an easy job you have. You receive abuse from all sectors and rarely receive any kind of commendation or gratitude from any other section, but it's a job, as being a policeman, a job that must be done, and I would love to see you gentlemen back here next week.

I'm becoming quite shell-shocked from appearing in front of you, but if you are not here I would like you to at least leave my last presentation here with the knowledge that I appreciate all the efforts

you've done for the betterment of San Francisco, and I know in your eyes and heart helping those officers who appear before you.

Thank you, gentlemen.

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
JAN 19 1976
SAN FRANCISCO PUBLIC LIBRARY

SF Police Commission Minutes

12 JANUARY 1976 SPECIAL MEETING

San Francisco Mayor George R. Moscone, in appointing the new Police Commission, said "After reviewing the recommendations of the Morrison Committee for positions on the Police Commission, I have chosen these five San Franciscans to serve because of their varied backgrounds and common interest in the important field of law enforcement. I said throughout my campaign for Mayor and in my inaugurual address that my administration would waste no time in addressing ourselves to the growing problem of violent crime in our City.

He then introduced Richard Joseph Siggins, a San Francisco attorney and partner in the law firm of Gudmundson, Siggins and Stone; Herman E. Gallegos, President of U.S. Human Resources Corporation and Board Member of Pacific Telephone and Telegraph Company; Reverend James Austell Hall, Minister of Bethel African Methodist Episcopal Church in San Francisco; Jane McKaskle Murphy, President of the Democratic Women's Forum of San Francisco; and Judith Ciani, San Francisco attorney.

He stated that the three men would be sworn in at this time and because Proposition D did not take effect until January 15, 1976, the women would be sworn in on that particular date. He then administered the appointments to the three commissioners.

POLICE COMMISSIONER APPOINTED

The Hon. Richard J. Siggins, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor, Mayor George R. Moscone in the Police Commission Meeting Room Rooom 551, Hall of Justice, 850 Bryant Street, on Monday, 12 January 1976.

His appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER RICHARD J. SIGGINS

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Richard J. Siggins, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco he to hold office for the term ending 15 January 1976 from and after the twelfth day of January 1976 vice Marvin E. Cardoza, resigned.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 12th day of January 1976.

(Signed) George R. Moscone
MAYOR

(SEAL)

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Siggins then took his seat as Police Commissioner of the City and County of San Francisco.

POLICE COMMISSIONER APPOINTED

The Hon. Herman E. Gallegos, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor, Mayor George R. Moscone, in the Police Commission Meeting Room, Room 551, Hall of Justice, 850 Bryant Street, on Monday, 12 January 1976.

His appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER HERMAN E. GALLEGOS

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To allwhom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Herman E. Gallegos, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint him a member of the Police Commission in and for the City and County of San Francisco he to hold said office for the term ending January 15, 1977 from and after the twelfth day of January 12, 1976 vice Robert E. Buckley, resigned.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 12th day of January 1976.

(Signed) George R. Moscone
MAYOR

(SEAL)

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Gallegos then took his seat as Police Commissioner of the City and County of San Francisco.

POLICE COMMISSIONER APPOINTED

The Hon. Reverend James A. Hall, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor, Mayor George R. Moscone in the Police Commission Meeting Room, Room 551, Hall of Justice, 850 Bryant Street, on Monday, 12 January 1976.

His appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER REVEREND JAMES A. HALL

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Reverend James A. Hall, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint him a member of the Police Commission in and for the City and County of San Francisco he to hold said office for the term ending 15 January 1978, from and after the 12th day of January 1976 vice Washington E. Garner, resigned.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 12th day of January 1976.

(Signed) George R. Moscone
MAYOR

(SEAL)

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Hall then took his seat as Police Commissioner of the City and County of San Francisco.

ROLL CALL:

PRESENT: Commissioners Gallegos, Hall, Siggins

RESOLUTION NO. 11-76 .

ELECTION OF ACTING PRESIDENT OF THE POLICE COMMISSION FOR THE YEAR 1976

On motion of Commissioner Gallegos and seconded by Commissioner Hall, the following resolution was adopted:

RESOLVED, that Richard J. Siggins be, and he is hereby elected Acting President of the Police Commission of the City and County of San Francisco;

AYES: Commissioners Gallegos, Hall

NOT VOTING: Commissioner Siggins

Commissioner Siggins then took his seat as Acting President of the Police Commission.

Commissioner Siggins presiding.

STATEMENT OF COMMISSIONER RICHARD J. SIGGINS

Charter Section 3.532 provides that the police commission shall appoint a Chief of Police who shall hold office at its pleasure.

This police commission has been appointed only within the past few days. But during the time that the present Mayor was in the process of making his selections to the potential five vacancies on this Commission he also set about the task of interviewing, screening and seeking information in order to make a strong recommendation to this new police commission of the name and identity of a Chief of Police.

I would like to announce that this Commission, those of us who have just commenced our terms and those who will begin their terms on or about January 15, 1976 have been advised by Mayor Moscone that his recommendation for the new Chief of Police is San Francisco Undersheriff Charles R. Gain.

As appointees to this police commission we have been informed by the Mayor of the reasons behind

his recommendation. We have reviewed with the Mayor the career of Charles Gain as a law enforcement officer within the State of California and in other states within this country.

We have informed ourselves of his work history with the Oakland Police Department where he was appointed to the Civil Service rank of Patrolman in February 1947, appointed to sergeant from the Civil Service list in August 1953, appointed to lieutenant from the Civil Service list in May, 1961.

Charles Gain was appointed deputy chief of the Oakland Police Department in September, 1963. He served four years as deputy chief. On September 1967 he was appointed Chief of Police of the Oakland Police Department. Police Chief Gain retired from that position on November 9, 1973 -- He retired as Chief of Police from the Oakland Police Department 26 years after he began in that department as a patrolman. Charles Gain is presently 52 years of age.

The record of this meeting should further show that while Chief of Police of the City of Oakland he was granted a leave of absence to go to Seattle, at the request of the Mayor of the City of Seattle, and did become the acting Chief of Police of Seattle in order to lend his talents to solve certain problems in that city.

Charles Gain has served as a consultant to the police departments of urban cities in the states of Connecticut, Ohio, Iowa, Massachusetts and New Mexico.

He has served as Public Safety Administrator in St. Petersbury, Florida. This involves administration of a Public Safety Agency consisting of the Police Department, Fire Department, Civil Defense, Licensing and other departments.

He has been a member of the Advisory Council to the School of Criminology of the University of California at Berkeley. He has been acting Assistant City Manager of the City of Oakland.

He has been advisor to national commissions concerning civil disorders, law enforcement and administration of justice. He has lectured in major colleges and universities, and he has published authoritative articles on such subjects as police management, handling of citizen complaints, police-community cooperation and other articles on the state-of-the-art in his profession.

It should be reflected in this record that four of the appointees to this Police Commission have been involved in an exhaustive interview with Charles Gain, said interview lasting in excess of three hours, some of which was in the presence of Mayor Moscone and some of which was outside the Mayor's presence -- that we covered in that interview ranges of subjects important to us as Commissioners carrying out our obligations and we covered subjects discussed by Mayor Moscone as goals that he demands be achieved by the police department of this City.

We know that the San Francisco Police Department, as any police department in any major City is to be evaluated on how effective and efficient it is in addressing both crime and non-crime as it relates to the City. We are concerned that the resources of this

police department be utilized toward the reduction of violent crimes (murder, forcible rapes, aggravated assaults, robbery, burglary, theft, and so on down the line) that these violent crimes be reduced insofar as it is within the capability of the San Francisco Police Department to bring about that reduction.

We are going to undertake a planned and orderly evaluation of all functions within the department -- e.g. vice control, traffic control, planning and research, legal functions of the department -- for the purposes of putting as much of our resources on the street.

We anticipate that any change will be orderly and planned.

I have referred to the efforts of Mayor Moscone to reach a decision for a nominee to be presented to this Commission. I can comment to you that those efforts were tireless.

I have referred to the analysis and interview of the nominee made by the appointees to the Commission.

I should further point out that we appointees consulted among ourselves - we are convinced that Charles R. Gain will bring to this department an attitude of excellence that will be felt for many years to come, and that he will continue to work toward our goals with the same efforts and talent that has earned him a national reputation, and that the goals of this commission will be achieved.

We have told Charles R. Gain that we would be appointing him forthwith to be the Chief of Police. He has pledged to us that he will not let us down.

RESOLUTION NO. 10-76

APPROVING IMMEDIATE FILLING OF VACATED POSITION OF CHIEF OF POLICE, SAN FRANCISCO POLICE DEPARTMENT, EFFECTIVE JANUARY 12, 1976

RESOLVED, that it is hereby recommended that the vacated position of Chief of Police of San Francisco be approved for immediate filling, as follows:

RESOLVED, that pursuant to the provisions of Section 10, Subsection 7, of the Annual Appropriation Ordinance, the immediate filling in the San Francisco Police Department of the vacated position of Donald M. Scott, Chief of Police, at an annual salary of $44,832, vacated January 7, 1976, said filling of position to be effective January 12, 1976, as requested by the appointing officer and recommended by the General Manager, Personnel, and the Mayor, be, and it is hereby approved.

Request Position Be Filled Immediately		Recommendation Position Be Filled Immediately
/s/ William J. Keays Department Head	Mayor	General Manger Personnel

Approved As To Form:
Thomas M. O'Connor
City Attorney

Funds Available

By _____
Deputy City Attorney

_____
Controller

Appropriation No. 5.123.199.000 $ 21,732.24

AYES: Commissioners Gallegos, Hall, Siggins

RESOLUTION NO. 12-76

CHARLES R. GAIN APPOINTED CHIEF OF POLICE

The following resolution was presented by Commissioner Siggins and seconded by Commissioner Gallegos:

RESOLVED, that Charles R. Gain, be, and he is hereby appointed Chief of Police of the San Francisco Police Department, effective Monday, 12 January 1976; and be it further

RESOLVED, that the Police Commission has great faith in the ability, courage and integrity of Charles R. Gain and is confident that he will effectively fulfill his duties as Chief of Police in an efficient and trustworthy manner.

AYES: Commissioners Gallegos, Hall, Siggins

CHARLES R. GAIN APPOINTED CHIEF OF POLICE

Pursuant to a resolution by the Police Commission at a special meeting on Monday, 12 January 1976, Richard J. Siggins, Acting President of the Police Commission, administered the oath of office to Chief of Police Charles R. Gain; said appointment to be effective as of Monday, 12 January 1976.

The Commission then adjourned its meeting.

SECRETARY

SF Police Commission Minutes

15 JANUARY 1976 REGULAR MEETING

HONORABLE MAYOR GEORGE R. MOSCONE APPOINTING THREE MEMBERS OF THE POLICE COMMISSION

"Do you Judith Ciani, Jane McKaskle Murphy and Richard Joseph Siggins solemnly swear that you and each of you will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies foreign and domestic, that you will bear true faith in allegiance to the Constitution of the United States and the Constitution of the State of California, that you take this obligation freely and without any mental reservation or purpose of evasion and that you will loyally and faithfully discharge the duties upon which you are about to enter and during such time as you hold the office of a Commissioner of the Police Commission?"

Richard Joseph Siggins: I do.

Judith Ciani: I do.

Jane McKaskle Murphy: I do.

DOCUMENTS
JAN 23 1976
SAN FRANCISCO PUBLIC LIBRARY

Mayor George R. Moscone: Please be seated.

"Ladies and gentlemen, thank you very kindly. Some of you may wonder why this bifurcated procedure is taking place if you weren't present a week ago when we swore in three members of the commission. You might not have known that Proposition D which passed in the November 4th election provided that there would be an expansion of the police commission from three to five members mandating that at least one woman member of that commission and that the expansion was to take place on January 15th of 1976, so we were in the rather unusual situation of swearing in only three members thereof and today we are completing the compliment of five for this very extraordinary Commission. Secondly, if you were here you are really puzzled over the fact that Richard Joseph Siggins was not only sworn in last week but he was elected by his two colleagues as the chairman or the president of the board, and here he is again today being sworn in again. It isn't because he liked it so much, it is just because the particular position that he filled terminated as a matter of law just one week after he was first sworn in. He's done such an extraordinary job during that period of time that I've decided to reappoint him. Now that there are two new members, he will have to do his own campaigning to keep his chairmanship however.

Thirdly, and much more seriously is the fact that we have set some history today in the City and County of San Francisco as its taxpayers did on November 4th by the passage of Proposition D with the particular mandation of at least one female member. I'd like to think that this new administration set another tone to that history because we wanted to make very clear that we weren't going to grudgedly accept the will of the electorate with respect to the prominence of women

in public office and so you find out only the mandation of one but the willing acceptance of no less than two members of this commission who are very clearly female. You will find these five personalities, in my opinion, the most sterling I think the most dedicated and I have absolutely every degree of certainty that the police department and those who work through the police department and the police commission with the kind of trust and respect and dedication that that department in this city has a right to expect will find it in the deliberations of these five members. I am terribly pleased that they are willing to accept this very difficult task and I wish them well. Good luck.

POLICE COMMISSIONER RICHARD J. SIGGINS - REAPPOINTED

Richard J. Siggins is duly reappointed by His Honor Mayor George R. Moscone, as a Police Commissioner of the City and County of San Francisco vice himself, term expired, to hold office for the term ending January 15, 1980.

His reappointment as Police Commissioner reads as follows:

POLICE COMMISSIONER RICHARD J. SIGGINS

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Richard J. Siggins, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco reappoint him a member of the Police Commission in and for the City and County of San Francisco he to hold said office for the term ending January 15, 1980 from and after the 15th day of January 1976 vice himself, term expired.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 15th day of January 1976.

(Signed) George R. Moscone
MAYOR

(SEAL)

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of reappointment was ordered spread upon the minutes of the Commission.

POLICE COMMISSIONER APPOINTED

The Hon. Judith Ciani, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor, Mayor George R. Moscone in the Police Commission Hearing Room, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, 15 January 1976.

Her appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER JUDITH CIANI

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Judith Ciani, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint her a member of the Police Commission in and for the City and County of San Francisco, she to hold said office for the term ending 15 January 1980 from and after the 15th day of January 1976.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 15th day of January 1976.

(Signed) George R. Moscone
MAYOR

(SEAL)

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Ciani then took her seat as Police Commissioner of the City and County of San Francisco.

POLICE COMMISSIONER APPOINTED

The Hon. Jane McKaskle Murphy, having been appointed Police Commissioner for the City and County of San Francisco by His Honor, Mayor George R. Moscone, was sworn in by His Honor, Mayor George R. Moscone in the Police Commission Hearing Room, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, 15 January 1976.

Her appointment as Police Commissioner reads as follows:

POLICE COMMISSIONER JAME MCKASKLE MURPHY

THE CITY AND COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA

To all whom these presents shall come, Greeting:

Reposing special confidence in the fidelity and ability of Jane McKaskle Murphy, I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint her a member of the Police Commission in and for the City and County of San Francisco, she to hold said office for the term ending 15 January 1980, from and after the 15th day of January 1976.

In testimony whereof, I have signed my name and have caused the seal of my office to be affixed hereto this 15th day of January 1976.

(SEAL)

(Signed) George R. Moscone
MAYOR

Attest: Bernard D. Teitelbaum
Executive Secretary to the Mayor

The certificate of appointment was ordered spread upon the minutes of the Commission. Commissioner Murphy then took her seat as Police Commissioner of the City and County of San Francisco.

ROLL CALL:

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 13-76

ELECTION OF PRESIDENT OF THE POLICE COMMISSION

On motion of Commissioner Ciani and seconded

by Commissioner Murphy, the following resolution was adopted:

RESOLVED, that Richard J. Siggins be, and he is hereby elected President of the Police Commission of the City and County of San Francisco.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy

NOT VOTING: Commissioner Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of January 12, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the instllation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

5756 MISSION STREET - VIOLA SEED COMPANY

a) At 5756 Mission Street, install a 38' green zone, to extend from 6' - 44' north of the crosswalk - (also 6' red north of the crosswalk).

b) At #1 Laura Street, install a 22' green zone, to extend from 4' - 26' west of Mission Street.

c) At 5791 Mission Street, revoke existing 22' green zone.

1741 POWELL STREET - PAGODA THEATRE

a) At 1741 Powell Street, install a 19' white zone, to extend north of the south property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter POWELL-1713.

1701 LAGUNA & 1700 SUTTER STREET - CHRIST UNITED PRESBYTERIAN CHURCH

a) At 1701 Laguna Street, install a 40' white zone, to extend from 15' - 55' north of Sutter Street.

b) At 1700 Sutter Street, insta-ll a 20' white zone, to extend from 75' - 95' west of Laguna Street.

c) Permission to display portable No Parking signs in conjunction with white zones.

2073 QUESADA AVENUE - FLOWER HILL BAPTIST CHURCH

a) At 2073 Quesada Avenue, install a 25' white zone, to extend west of the east property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

1830 SUTTER STREET - Y.W.C.A.

a) At 1830 Sutter Street, permission be granted to display portable No Parking signs in conjunction with the existing 20' white zone.

1001 STOCKTON STREET - ON LOK SENIOR HEALTH SERVICES

a) AT 1001 Stockton Street, install a 20' white zone, to extend from 21' - 41' north of Washington.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter STO-1003.

1000 & 1020 - 22nd STREET - CONSOLIDATED FIBRES INC.

a) At 1000 - 22nd Street, install a 42' yellow zone, to extend from 36' - 78' west of the east property line.

b) At approximately 1020-22nd Street, install an 18' yellow zone, to extend from 93' - 111' west of the east property line.

(Driveway clearances will also be painted.)

81 FREMONT STREET - BECHTEL CORP.

a) At #33-41 Fremont Street, revoke existing 90' yellow zone.

b) At #51 - 53 Fremont Street, revoke existing 30' yellow zone.

c) At 81 Fremont Street, remove parking meters FRE-51 & 53.

d) At 81 Fremont Street, install a 42' yellow zone, to extend from 80' - 122' north of Mission Street.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 333 feet of green and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins.

RESOLUTION NO. 14-76

ELIAS ABUYAGHI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elias

Abuyaghi against the City and County of San Francisco in the sum of $171.70 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 6, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 15-76

RUDOLPH FENLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rudolph Fenley against the City and County of San Francisco in the sum of $22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 12, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 16-76

JAMES HOLLOWAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Holloway against the City and County of San Francisco in the sum of $42.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 17-76

STANDARD OIL COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Standard Oil Company against the City and County of San Francisco

in the sum of $110.52 as the result of a collision with a police vehicle, be, and the same is hereby approved.

On a motion made by Commissioner Siggins and adopted by the remaining Commissioners, Commissioner Ciani was excused from voting on the above item.

AYES: Commissioners Gallego, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Chief of Police Donald M. Scott, for service, effective January 7, 1976.

b) Chief of Inspectors, Charles A. Barca, Bureau of Inspectors, for service, effective January 7, 1976.

c) Sergeant Andrew J. Farren, Administration, for service, effective Decmeber 27, 1975.

d) Police Officer Edward D. Cantwell, Ingleside Police Station, for service, effective January 1, 1976.

e) Police Officer Sam A. Dijanich, Police Pistol Range, for service, effective January 7, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 18-76

REQUEST TO RELEASE UNALLOTTED BALANCE

RESOLVED, that the Controller be, and he is hereby requested to release unallotted balance

in the amount of $2,500 in Appropriation No. 5.161. 219.000.000 (Maintenance and Repair - Communications Equipment) to cover pending encumbrance request for $10,000 00

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in persom and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANFEROR	TRANSFEREE	NO. OF PERMITS
Benjamin J. Villanueva 65 Sheridan Street San Francisco, Calif.	Julius Fox 1557 - 11th Avenue San Francisco, Calif.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciaini, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Acting Chief of Police William J. Keays, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, January 10, 1976 at 2400 hours, as follows:

Daily average for the week, sick	62
Daily average for the week, disabled	95
TOTAL	157
Daily percentage for the week, sick	3.22
Daily percentage for the week, disabled	5.08
TOTAL	8.30

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall Murphy, Siggins

INTRODUCTION OF STAFF TO BOARD OF POLICE COMMISSIONERS

Captain William J. O'Brien, Department Secretary, introduced the following-named members to the new Board of Police Commissioners:

Deputy Chief William J. Keays
Acting Chief of Inspectors, Captain Mortimer F. McInerney
Supervising Captain of Districts, Jeremiah P. Taylor
Director of Personnel, Captain George Eimil
Acting Director of Traffic, Captain Charles D. Korelec
Director of Criminal Information, Captain Louis H. Feder
Director of Community Relations, Rodney E. Williams
Captain Hugh Elbert, Commanding Officer-Internal Affairs
Captain William T. O'Connor, Commanding Officer - Public Affairs
Captain Kevin J. Mullen, Commander - Mission Station
Sergeant Willie E. Frazier, Secretary to Police Commission
Dorsey A. McTaggart, Hearing Reporter
Captain William J. O'Brien, Department Secretary

HEARING OF POLICE OFFICER PETER GAMINO, MISSION POLICE STATION

The hearing of Police Officer Peter Gamino, Mission Police Station, was called, it having been set for this date. Officer Gamino was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Unofficerlike Conduct (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Failure to Truthfully Answer Questions (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Kevin J. Mullen, Captain of Police, Commanding Officer of Mission Police Station.

Police Officer Peter Gamino appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Director of Personnel, Captain George Eimil, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Peter Gamino entered a plea of "not guilty" to Specifications No. 1 and No. 2.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Captain Kevin J. Mullen, Commanding Officer
Mission Police Station

Eddie M. Marti
639 Guerrero Street
San Francisco, California

Dean Hall
Mission Rebel Headquarters
674 South Van Ness Avenue
San Francisco, Calif.

Sergeant Lawrence Gurnett
Internal Affairs Bureau

Sergeant Bill R. Taylor
Internal Affairs Bureau

Captain Mortimer F. McInerney
Acting Chief of Inpsectors

The following exhibits were entered into Evidence by the Prosecution:

EXHIBIT NO. 1 - Diagram, 3' x 4' of rear and inside entrance of Mission Police Station.

EXHIBIT NO. 2 - Photograph - Driveway of Mission Police Station.

EXHIBIT NO. 3. - Photograph - Inside garage of Mission Police Station.

EXHIBIT NO. 4. - Card marked, "Dotte, 282-4813"

EXHIBIT NO. 5. - Photograph of parked radio car inside garage of Mission Police Station.

EXHIBIT NO. 6. - Puka Shells attached to 8"x 11" sheet of paper with statement by Sergeant Gurnett and business card of Officer Edmund Pecinovsky attached.

EXHIBIT NO. 7. - Close-up photograph of inside of Mission Police Station garage depiciting sand bags in right corner and two scooters.

EXHIBIT NO. 8. - Incident Report Form titled, "Warrant clear-up", dated October 16, 1975, prepared by Police Officer Peter Gamino.

EXHIBIT NO. 9. - Transcript of an interview conducted by Sergeant Gurnett, Internal Affairs Bureau on October 14, 1975.

The Commission then adjourned at 2225 hours, and the matter was continued to Wednesday, January 21 1976 at 1730 hours, in Room 551, Hall of Justice.

Recess: 1929 hours to
1945 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins.

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
JAN 2 6 19..
SAN FRANCISCO PUBLIC LIBRARY

21 JANUARY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 21, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of January 15, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Ciani asked for the status of the report that she had called for at the last meeting on the feasibility of posting notices in the neighborhoods when there is a possibility of green, white, red and yellow zones to be painted at certain locations.

The secretary of the Police Commission stated that the Acting Director of Traffic, Captain Charles Korelec, had not completed this report but that it would be forthcoming in a day or two and available for the next meeting.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

398 - 24th AVENUE - SANDY'S CLEANERS

a) At 398 - 24th Avenue, install a 22' green zone, to extend from 3' - 25' north of Clement Street.

1557 POLK STREET - FRIEDA MORRILL COMPANY

a) At 1557 Polk Street, install a 22' white zone, to extend from 13' - 35' south of the crosswalk.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter POLK-1535.

258 FUNSTON AVENUE - SUTRO ELEMENTARY SCHOOL

a) At 258 Funston Avenue, install a 162' white school bus zone, to extend from 12' - 174' north of the south property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) At 258 Funston Avenue, revoke existing 60' white zone.

(The Department of Public Works will be requested to install signs, reading "No Stopping - Bus Zone 7 A.M. - 4 P.M. School Days".)

1541 TARAVAL STREET - EL TOREADOR RESTAURANT

a) At 1541 Taraval Street, install a 25' yellow zone, to extend from 6' - 31' east of the west property line.

b) Remove parking meter TAR-1517.

925 CHENERY STREET - CHURCH OF SAINT JOHN THE EVANGELIST

a) At 925 Chenery Street, revoke existing 60' white zone.

b) At 925 Chenery Street, install a 100' white zone, to extend from 5' - 105' east of Burnside Avenue.

c) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 367 feet of white, yellow and red zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins.

RESOLUTION NO. 19-76

CHRISTOPHER D. SCOTT

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Christopher D. Scott against the City and County of San Francisco in the sum of $933.79 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 9, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 20-76

UNITED SERVICES AUTOMOBILE ASSOCIATION AND DORRY C. HELLMAN

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of the United Services Automobile Association and Dorry C. Hellman against the City and County of San Francisco in the sum of $500.61 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 7, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

Requests of the following-named members

of the Department for permission to take Leaves of Absence:

MILITARY LEAVES - WITH PAY:

a) Police Officer Robert Crosat, Southeast Police Station, for five days, December 8, 1975 to December 12, 1975, inclusive.

b) Police Officer Joseph F. Kennedy, Central Police Station, for six days, December 7, 1975 to December 12, 1975, inclusive.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Murphy requested to let the records show that the above items 5(a) and 5(b) was a waste of time and that sometime in the near future it should be examined and determined if it is necessary by Charter or any other rule for it to come before the Police Commission for approval.

Captain O'Brien spoke in regards to Item No. 6, a Supplemental Appropriation to fund Police Cadets for the remainder of fiscal year 1975/76. There was a lengthy discussion in regards to this matter with the Commissioners unanimously approving the request as follows:

RESOLUTION NO. 21-76

REQUEST FOR A SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $26,353 from the following appropriation number in the amount shown:

Appropriation No. 5.161.110.001.000
Permanent Salaries-Civilian $26,353

and credit it to the following appropriation in the amount indicated:

Appropriation No. 5.161.120.003.000
'Temporary Salaries-Police Cadets $26,353

to provide funds to retain sixty (60) cadets at four (4) hours per day for remainder of fiscal year.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, January 17, 1976 at 2400 hours, as follows:

Daily average for the week, sick	56
Daily average for the week,disabled	90
TOTAL	146
Daily percentage for the week, sick	2.88
Daily percentage for the week, disabled	4.81
TOTAL	7.69

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins stated that there are Personnel matters that must be considered and acted upon and that the Police Commission would hold a Special Meeting in Executive Session on Saturday, January 24th, 1976 at 0900 hours, in Room 512, Hall of Justice, to consider said matters.

Commissioner Murphy called for a report as to the timeliness of submitting Charter Amendments for the coming June ballot.

Secretary Frazier reported that he had called the Board of Supervisors and received a schedule for the submission of proposed Charter Amendments. This schedule pointed to the fact that January 5,1976 was the last regular Board Meeting for introduction of Charter Amendments in writing to the Board. Further investigation revealed that if members of the Police Commission wrote to Supervisor John Molinari, Chairman of the Legislative and Personnel Committee, stating that their request to get on the June ballot with Charter Amendments were of an emergency nature, he may take it into consideration and allow it to be done on an emergency basis.

Attorney Stephen Bruce Bley requested the Police Commission set hearing schedules for Police Officers William Kelly and Daniel O'Shea from February 4th, 1976 to a later date.

The Commission concurred and agreed to remove them from the calendars pending a date to be named shortly.

They further stated that since there was so many hearings scheduled that some may have to be heard at other meetings in Executive Session on other noticed calendar dates.

Commissioner Siggins stated that in accordance with the provisions of Proposition F amending Section 3.500 of the Charter which was passed by the voters in the November 4, 1975 election; the Police Commission will consider for adoption the following Rule at its next regular meeting:

RESOLVED, that each member of the Police Commission present at a Police Commission Meeting shall vote for or against each item on the calendar unless excused from voting on a motion adopted by a majority of the Commissioners present at the meeting.

Commissioner Gallegos stated that there had been a great amount of correspondence received from various community agencies requesting to meet with the Commission on various subjects of community interest, and that at this time he would like to advise and assure them that the Police Commission would meet with them on these matters in the very near future.

RESOLUTION NO. 22-76

HEARING OF POLICE OFFICER RAYMOND R. PORTUE, FIELD PATROL COMPANY, CONTINUED TO FEBRUARY 11, 1976

WHEREAS, the hearing of Police Officer Raymond R. Portue, Field Patrol Company, was called, it having been set for this date; and

WHEREAS, Captain Mortimer F. McInerney and Mr. Stephen Bruce Bley, attorney for Police Officer Raymond R. Portue, have mutually agreed that additional time be granted to Police Officer Raymond R. Portue in order that he may present evidence in his behalf; therefore be it

RESOLVED, that a contiuance in the hearing of charges filed against Police Officer Raymond R. Portue be, and the same is hereby approved and continued to Wednesday, February 11, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioner Ciani, Gallegos, Hall, Murphy, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER PETER GAMINO, MISSION POLICE STATION

The matter of the hearing of Police Officer Peter Gamino, Mission Police Station, was called, it having been continued from the meeting of January 15, 1976.

Police Officer Peter Gamino appeared in person and was represented by Mr. Stephn Bruce Bley, Attorney at Law.

Captain George Eimil, Director of Personnel, appeared as Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Dr. Simon Cohn
St. Mary's Hospital
450 Stanyan Street
San Francisco, California

Sergeant Lawrence Gurnett
Internal Affairs Bureau

Police Officer Joseph C. Mollo
Physical Training Officer
Police Academy

The following-named witnesses appeared for the Defense, were sworn and testified:

Police Officer Peter Gamino
Mission Police Station

Police Officer John A. Boles
Mission Police Station

Sergeant Felix Buckley
Mission Police Station

Police Officer Randall Kocher
Mission Police Station

Dorothy Baumann
729 Capp Street
San Francisco, California

Police Officer Peter Gamino, Mission Police Station, was recalled by Commissioner Gallegos for further questioning.

Captain George Eimil, Prosecutor for the Police Department, submitted the closing argument on behalf of the Prosecution.

Mr. Stephn Bruce Bley, Attorney for the Defense, submitted his closing argument on behalf of Police Officer Peter Gamino.

The Commission took the matter under submission and then recessed from 2115 hours to 2235 hours after which the following resolution was adopted:

RESOLUTION NO. 23-76

DECISION - HEARING OF POLICE OFFICER PETER GAMINO, MISSION POLICE STATION

WHEREAS, on November 26, 1975, Kevin J. Mullen, Captain of Police, Commanding Officer of Mission Police Station, made and served charges against Police Officer Peter Gamino, as follows:

SPECIFICATION NO. 1

a) That at or about 2230 hours on Wednesday, September 24, 1975, the accused and a fellow officer entered the on-sale liquor establishment known as Marvin's Taverna located at 853 Valencia Street;

b) That upon entering the bar the accused and a fellow officer thereupon arrested the bartender, Mr. Eddie M. Marti;

c) That the accused and a fellow officer transported Mr. Marti to the Mission Police Station in their police vehicle;

d) That upon arrival at the Mission Police Station the accused and Mr. Marti exited the police vehicle while the fellow officer drove the police vehicle to another location;

e) That enroute to the Booking Desk at the Mission Police Station the accused did without lawful authority, choke and kick Mr. Marti;

f) Because of the above-stated action, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"2.13 Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudical to the efficiency and discipline of the department,

though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO.2

g) Paragraphs (a) through (f) are hereby incorporated as though they had been fully set forth herein;

h) That when called upon by a superior officer specifically assigned to investigate the conduct of the accused, the accused did not truthfully and without evasion answer all questions propounded;

i) Because of the above-stated action, the accused did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"2.49 Shall, when called upon by a Superior Officer, or by one specially assigned by lawful authority to conduct an investigation involving Police Matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, January 15, 1976,and that on Wednesday, January 21, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Peter Gamino, Mission Police Station, as contained in Specifications No. 1 and 2, are sustained by the evidence presented at the hearing and that Police Officer Peter Gamino did violate Sections 2.13 and 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Peter Gamino has violated Specificaiton No. 1, Section 2.13, of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be fined the gross sum of one working day's pay amounting to $63.53; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Peter Gamino has violated Specification No. 2, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be fined the gross sum of one working day's pay amounting to $63.53; and be it further

RESOLVED, that it is the order of the Police Commission that said violations of one gross working day's pay for each violation of Specification No. 1, Section 2.13, and Specification No. 2, Section 2.49, of the Rules and Procedures of the San Francisco Police Department, in the total amount of $127.06 shall be paid on or before February 4, 1976, to the City and County of San Francisco.

Recesses taken in the hearing of Police Officer Peter Gamino.

1923 hours to 1944 hours
2115 hours to 2235 hours
2243 hours to 2320 hours

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
FEB 4 1976
SAN FRANCISCO
PUBLIC LIBRARY

28 JANUARY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 28, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been frunished copies of the minutes of the meeting of January 21, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RETIREMENT:

Communication was received from the Retirement Board officially notifying the Police Commission of the Industrial Disability retirement of Police Officer Thomas P. Chope, Bureau of Criminal Information, effective January 15, 1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 24-76

PETER PARAS AND CALIFORNIA STATE AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Peter Paras and the California State Automobile Association against the City and County of San Francisco in the sum of $555.94 as the result of a collision with a police vehicle, be, and the same is

hereby approved.

Date of Accident: October 7, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

REQUEST OF POLICE OFFICER WILLIAM W. FOX, RICHMOND POLICE STATION, FOR A LEAVE OF ABSENCE WITHOUT PAY FOR AN EXTENDED PERIOD OF TIME FOR PERSONAL REASONS--CONTINUED OFF CALENDAR

Captain O'Brien stated to the Commissioners: "I believe this is really an administrative matter that Civil Service Rules empowers the Chief to pass upon. I don't think it really has to be on the Commission Calendar. Maybe we can take it off calendar and let the Chief make his decision and then send it to Civil Service.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 26-76

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the amount of $3,500 from Appropriation No. 5.161.120.019.000 (Differential Pay - Uniformed Force) to cover pending and anticipated payrolls.

Captain O'Brien stated "this is our like work/like pay allottment; what we are asking is that the Commission approve the allotment of the money that is remaining in the appropriation, some $8,250 of the remaining, we want $3,500 to be allotted so that we can pay some pending payrolls as that officers who worked on like work/like pay basis will be paid without having to wait an inordinate time. As you recall, we have a $59,000 supplemental appropriation requested at the Mayor's Office but we don't know how that is going to come out as yet. We have cut back on the like work/like pay pending that appropriation. But this will let us pay debts that the department has run up in the like work/like pay account. It's money that is already in our budget.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 27-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $8,520 from any fund designated by the Mayor or Controller, and credit it to the following appropriation in the amount indicated:

APPROPRIATION NO. 5.161.400.000.000
(Equipment) $8,520

to provide funds for a portable X-ray machine to be used in bomb detection.

Captain O'Brien stated, "We have discussed this with the Controller's Office, the best way of getting this particular amount of money for the portable X-ray and he has recommended that we go by way of Supplemental Appropriation and he thinks that the money can be found. This X-ray will be used by our Bomb Disposal Unit to X-ray suspicious packages to see if there are bombs in them or not. It will be a protective devise for the men. It would also be used in our Crime Lab. They have need of a portable X-ray to X-ray some of the evidence that they get on cases. It will have a dual purpose and is something that we should have had a long time ago, but we think that the use for it is more and more going to come to our attention.

Commissioner Murphy then asked Captain O'Brien the following question: "Would you use it, for example, in the mail rooms, that sort of thing?"

Captain O'Brien stated: "If we had a package come through our mail room, why we would use this portable X-ray to see what is in it. You recall there was a box of Sees Candy that went out to a station. If we would have had this portable X-ray machine we would have known if anything was in it, it would have saved a lot of trouble for everybody. It is something that we really should have, particularly at this time..

AYES: Commissioner Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 28-76

AUTHORIZING ATTENDANCE OF INSPECTOR HAROLD M. SUSLOW, BUREAU OF INSPECTORS, AT A STATE-WIDE CONFERENCE OF

THE CALIFORNIA METAL INVESTIGATORS ASSOCIATION IN SACRAMENTO, CALIFORNIA, ON JANUARY 29, 1976 AND JANUARY 30, 1976.

RESOLVED, that the recommendation of the Chief of Police that Inspector Harold M. Suslow, Bureau of Inspectors, be detailed to attend a State-Wide Conference of the California Metal Investigators Association in Sacramento, California, on January 29, 1976 and January 30, 1976, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Harold M. Suslow, Bureau of Inspectors, in a sum not to exceed $60.00 in attending the California Metal Investigators Association Conference in Sacramento, California, will be defrayed by the Police Department's Police Officers Training Fund.

Captain O'Brien: This California Metal Investigators Association is a fairly new State Association. It has come into being because they have found out lately that there has been a larger number of thefts from particularly Public Utility Companies, they steal their copper wire and then they sell it to junk dealers and its cut up and its a great loss to the companies and there's all kinds of metal. Right now they have to keep it in San Francisco. There is an Ordinance that says they have to hold it for five (5) days, but there is nothing that says they have to tell us when they buy it so we don't know what they buy unless we happen to walk into the junk dealers premises. This meeting in Sacramento is with people throughout the State. The Department of Justice is thinking of putting into State Laws some rules whereby junk dealers would have to keep merchandise for a certain number of days and would also daily have to send to the Police Department and Sheriff in the area what they call a Buy Record of whatever they bought that day. They would have to send it to us so that we would have it the next day so we could investigate any types of buys that they make that we think that could be stolen. You recall that some time ago that there was a flag atop this Francis Scott Key memorial statue that was stolen and it was going to cost some $46,000 to replace. One of our investigators, in fact, Inspector Suslow, got into one of the junk places and saw the fellow, caught him just before he was going to break it up, and he had bought it for $65.00. So this saved the City quite a sum of money. There have been some extensive investigations and large thefts of gold from some of the electronic companies down in the Peninsula where these metal investigators have been able to make arrests through their cooperative investigations. Its been approved by the Chief of Police and it will help the department.

Commissioner Siggins: It is an educational program and the Chief can make an evaluation.

Captain O'Brien: He can see if our attendance at such things is worthwhile.

Commissioner Ciani: Are you saying that in

each of the areas in which this is to be used there will be an Ordinance or some requirement imposed on dealers so that they will report to the Local Police?

Captain O'Brien: If they make the State Law they cover the whole state.

Commissioner Ciani: So this is really in support of the passage of the State Law.

Captain O'Brien: That's right.

Commissioner Ciani: Is it pending, has it been introduced?

Captain O'Brien: Los Angeles has and has had a law for many years that they have to keep, that the junk dealers have to keep the material for twenty-one (21) days and also must daily notify the police department of what they bought. We don't have that.

Commissioner Murphy: We have a law that says they must keep it a certain time?

Captain O'Brien: Five days, but we don't know what they are buying unless we keep going in and checking.

Commissioner Murphy: It takes a lot of man-power though.

Captain O'Brien: If they put in a law, it will help us.

Commissioner Ciani: It could be done by Local Ordinance, couldn't it?

Captain O'Brien: It could. We tried to put in a Buying Book but we were unsuccessful. We were, in fact five (5) days were not enough, but that was the best we could get.

Commissioner Murphy: When did you try to do that?

Captain O'Brien: This was last year.

Commissioner Murphy: Maybe now after saving $46,000, we can get another Ordinance.

Captain O'Brien: We'll see what comes and the Chief can evaluate it when he gets the report from the Sacramento meeting.

Commissioner Ciani: Maybe it should be noted this is on our agenda because we need a resolution if we are to get the Controller to release the funds.

Captain O'Brien: To release funds from our Police Training Funds. This is where we get the money. This is not budgeted money, it is money we get from the State and they get it from assessments that are assessed against people who are convicted and fined for criminal offenses. For every $20.00 of their fine, they have to pay a $5.00 assessment, and that money goes to the various cities as Post Funds. We have an Ordinance that says that the first $200,000 of these funds that we receive goes into our Police Training Fund to use for purposes such as this.

AYES: Commissioner Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 29-76

REQUEST TO RELEASE UNALLOTTED BALANCE

RESOLVED, that the Controller be, and he is hereby requested to release unallotted balance in the sum of $313.00 in Appropriation No. 5.161. 140.000.000 (Fees and other Compensation) to cover pending and future obligations.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO.30- 76

AMENDING SECTION 3.500 OF THE CHARTER OF THE CITY AND COUNTY OF SAN FRANCISCO, IN ACCORDANCE WITH THE PROVISIONS OF PROPOSITION "F" WHICH MANDATES THAT THE POLICE COMMISSION ADOPT THE BELOW PRESCRIBED RULE.

"RESOLVED, that each member of the Police Commission present at the Police Commission meeting shall vote for or against each item on the calendar unless excused from voting on a motion adopted by a majority of the Commissioners present at the meeting."

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

PUBLIC HEARING ON THE SAN FRANCISCO POLICE DEPARTMENT'S BUDGET FOR THE FISCAL YEAR 1976/77 - CONTINUED ONE WEEK

Chief Gain: Mr. President, members of the Commission, I request that this be taken off calendar and rescheduled for next Wednesday's meeting for Public Hearing. The reason being that I am still in the process myself of analyzing budget and not in a position at this time to make recommendations to the Commission.

Commissioner Siggins: Do you think you can be ready by next week?

Chief Gain: Yes sir.

Commissioner Murphy: At Wednesday's meeting?

Chief Gain: Wednesday's meeting.

Commissioner Ciani: I would like to know whether you've received requests for copies from anyone or whether perhaps there are people here who came to address the issues on the budget?

Sergeant Frazier: Yes, they did.

Commissioner Ciani: Will this be noticed for next week?

Sergeant Frazier: Yes, it will.

Commissioner Ciani: If there are changes in the proposed budget, will they be able to get copies with those specific changes?

Sergeant Frazier: Right. The copies will be made available in Room 505, the Police Commission office.

Commissioner Murphy: At what time?

Sergeant Frazier: Well, as soon as the Chief makes his adjustments.

Commissioner Murphy: An hour or so before the meeting?

Sergeant Frazier: I don't know how soon they can get them ready.

Chief Gain: I hope that by next Tuesday morning. I will have it submitted to your office - my recommendations.

Commissioner Ciani: If people are here and then cannot make it to the next meeting - whether we accept written comments on the budget? Has that been done before for people who wish to comment and can't be present at the meeting?

Sergeant Frazier: We have made that available to them and it is available to them now if they should like

to do so. And of course, at the meeting we would read those particular comments.

Louise Statzer: My name is Louise Statzer, and I am with the TWU, Transport Workers Union, AFSCME, The American Federation of City and County Municipal Employees, and UCE Union of City Employees. And on this budget here - can I retain this copy to compare it with the new one that the Chief is referring to?

Chief Gain: Mr. Chairman, I would take no exception to anyone who has a copy to retain it. It is clearly identified as a tentative budget. I will be submitting to the Commission new documents which will reflect differences.

Commissioner Ciani: Can I sugest that in the future you date drafts so that people can tell which one you are dealing with. This has a tentative draft of whatever date is on top and then you can keep it separate.

Commissioner Hall: How soon are they given the budget prior to the Public Hearing?

Sergeant Frazier: Well, it was avilable yesterday in my office.

Commissioner Hall: So it is usually a day before the hearing.

Sergeant Frazier: Yes. We try to make it at least a day before the hearing to give the people enough time to go over certain items or whatever items they may be interested in.

Chief Gain: May I suggest Mr. Chairman, that anyone interested in obtaining the next one which would be my final recommendations, perhaps they could call the Commission Office on Friday to get a better idea of when they will become available. It might be Monday when I submit it to your office.

Commissioner Siggins: Is there any other comment? There is a possibility that we will be having a meeting, Monday, February 2nd, but the budget will be considered on the 4th.

The Chair approves the continuance of the Public Hearing of the budget for the Fiscal Year 1976/77 until Wednesday, February 4th, 1976.

AYES: Commissioner Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday,

January 24, 1976 at 2400 hours, as follows:

Daily average for the week, sick	56
Daily average for the week, disabled	93
TOTAL	149
Daily percentage for the week, sick	2.89
Daily percentage for the week, disabled	4.98
TOTAL	7.87

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 25-76

HEARING OF POLICE OFFICER MICHAEL CHAN, NORTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Michael Chan, Northern Police Station, was called, it having been set for this date; and

WHEREAS, at the meeting of Wednesday, January 21, 1976, Mr. Stephen Bruce Bley, stated that the injuries sustained by Police Officer Michael Chan, while in the performance of his duties, are so serious that he has been incapacitated for the past several weeks with the possibility of facing further hospitalization; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael Chan is set for Wedneday, February 11, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO.31-76

HEARING OF SERGEANT WILLIAM S. SISACK, CENTRAL POLICE STATION.

WHEREAS, the hearing of Sergeant William S. Sisack, was called, it having been set for this date; and

WHEREAS, Mr. James Martin MacInnes, attorney for Sergeant William S. Sisack, contacted Captain George Eimil, Director of Personnel and Prosecutor for the Police Department in this hearing, and stated that Sergeant Sisack is scheduled to appear in Federal Court on Friday, January 30, 1976, for final determination of his case. Because of this appearance, Mr. MacInnes requested an extension of time beyond this date, until final disposition of this case is made in Federal Court; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Sergeant William S. Sisack is set for Tuesday, February 17, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

The Commission then adjourned its meeting.

SECRETARY

2 FEBRUARY 1976 Minutes SPECIAL MEETING

DOCUMENTS
FEB 6 1976
SAN FRANCISCO PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, February 2, 1976 at 1800 hours, in Special Session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Ralph Buck Chew Lu 4823 California Street San Francisco, California	Tony Wai Hung Hui 257-14th Avenue - #1 San Francisco, California	1

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

STATEMENT BY COMMISSIONER RICHARD J. SIGGINS TO THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION.

We are pleased to meet with you this afternoon and trust that our talks will establish a spirit of cooperation and communication which will mark all future discussions between us and your organization.

The Commission is not, by virtue of consenting to and holding this preliminary meeting, to be

deemed to have recognized the Police Officers Association. The sole purpose of this meeting is to consider the requests contained in Gerald Crowley's letter to me dated January 16, 1976. We do not hereby intend to waive any right or position to which we are entitled or to make any committments.

It is the hope of the Commission that its participation in future discussions will, to a considerable extent, be conducted through one or more designated representatives. Further, we hope that to the extent practicable we will each follow a practice of communicating our respective positions to each other in writing prior to any "meet and confer" sessions. This practice will not only save time but will also help to crystalize our thinking.

The Police Commission then went into Executive Session:

Meet and Confer with the San Francisco Police Officers' Association.

The Commission then adjourned its meeting.

SECRETARY

4 FEBRUARY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 4, 1976 at 1800 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DOCUMENTS
FEB 11 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of January 28, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF GAINS' REPORT TO THE POLICE COMMISSION

Chief of Police Charles R. Gain introduced Captain Agustius Bruneman of the Crimes Specific Task Force to the Police Commissioners and stated "He will give you and overview of the activities and accomplishments of that unit thus far."

Captain Bruneman: Mr. President, Commissioners, the Task Force has been in operation just about one week. We have a compliment of 147 police officers. We are putting currently on the street 80 to 90 people per night or per day. The patrols have been formed and we have just today received our compliment of cars and motorcycles so, but officially we could say we started on patrol the first of this week on a full time basis. The platoons as you probably know, are divided into five platoons with a Lieutenant in each. They have been given to the fifteenth of this month to come up with specific plans to attack violent crime in the streets of San Francisco. Each platoon will present a specific task they will accomplish or attempt to accomplish in a given period of time, attacking robbery, purse snatching, strong arm robberies and armed robberies during their tours of duty. We've trained the Lieutenants and the team leaders to using what we call teams on these squads, we are using it on teams and teams will make plans to attack the specific crimes and present them to me and we will negotiate them and then they will go out and perform the task that they have. To date, we are developing crime statistics and this will show you the crimes of armed robbery by the half hour blocks, purse snatchings by the half hour blocks, and the days of the week highlighting the high days and the low days. We also have plot locations. This is giving us an indication of what is occurring last month and, generally speaking,

may occur at the same chronological time again. These are what we are using to develop general statistics. This shows by the half hour, armed robberies and strong arm robberies. You can see that at 0000 hours there were 13 last month. Then we go down to the high points where there were 25 at 1930 hours. So this gives us an idea on where we can concentrate our efforts or the times that we can concentrate our efforts, then of course, our plot map shows the locations. That is about the condition of my report. I've had this week alone the activity of the task force, they have made 13 felony arrests. We've assisted other units in making 38 felony arrests, there have been 14 misdemeanor arrests, we've interviewed 226 persons, there have been detailed 415 man hours and the vehicle mileage has been 4313 miles traveled by our vehicles this week. As we progressed, we send a report every day to the Supervising Captain's Office, and as we progress, you will be informed of the progress of the unit. We think we can make significant impact on our hours and on our times if we are allowed without blockage of details or other things blocking our progress, we can do a significant job. As we get our plans developed, the commanding officers of the district stations we are operating in, will be notified of just what our plan is, of what we intend to do. We coordinate with the commanding officer in the district. We assist the radio patrol cars in the district, responding to runs, backing them up when they are overloaded, there is a lot of runs stacked up. We will take some of these runs so that they can be assisted in that way. But as we get our plans developed, we will inform each commanding officer of our plan.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

222 SCHWERIN STREET - GENEVA TOWER APARTMENTS

a) At 222 Schwerin Street, install a 46' white school bus zone, to extend from 138' - 184' north of Garrison Street - (The Dept. of Public Works to install signs, reading "No Stopping - Bus Zone 7 A.M. - 4 P.M. School Days.")

b) Permission to display portable No Parking signs in conjunction with this white zone.

1686 UNION STREET - ERHARD SEMINARS TRAINING

a) At 1686 Union Street, revoke existing 22' yellow zone, which extends from 6' east to 16' west of the east line.

b) At 1686 Union Street, install a 32' yellow zone, to extend west of the east property line of #1686 Union Street.

c) Remove parking meter UNION-1644.

50 FRANCISCO STREET - FRANCISCO BAY OFFICE PARK

a) At 50 Francisco Street, install a 66' white zone, to extend from 178' - 244' west of Montgomery Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

1234 INDIANA STREET - PHILLIPS & OBER ELECTRIC SUPPLY

a) At 1234 Indiana Street, install a 28' green zone, to extend from 140' - 168' south of 23rd Street.

2915 - 20th STREET - POTRERO TV

a) At 2915 - 2oth Street, install a 22' green zone, to extend from 34' - 56' west of Bryant Street.

100 VAN NESS AVENUE - CALIFORNIA STATE AUTOMOBILE ASSOCIATION

a) At 100 Van Ness Avenue, install a 22' white zone, to extend from 12' - 34' north of Fell Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter VAN-102.

180 TRENTON STREET & 835 PACIFIC AVENUE - HONG KONG TEAHOUSE

a) At 180 Trenton Street, install a 38' yellow zone, to extend north of the south property line.

b) At 835 Pacific Avenue, install a 26' white zone, to extend from 14' - 40' east of Trenton Street.

c) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED.

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 335 feet of white and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

COMMISSIONER GALLEGOS

The traffic calendars that are sent to us we've approved them automatically and we've raised the question of criteria used to grant or revoke. We've also raised the question of the possibility of public hearings on the posting of notices regarding the changes and amendments and the question has come to us as to the best way to handle this. I am wondering if it is wise of us to continue to approve this or to continue the item without approval until we hear what our procedure ought to be relative to the question we have raised and whether we should hold up the approval of these items until at such time we have some evaluation on the matter.

CHIEF GAIN: Mr. Commissioner, hopefully by next week we will submit to you the information that you want.

COMMISSIONER SIGGINS: It is my impression that a report is in the offing, is it not?

SERGEANT FRAZIER: Yes Sir; Captain Korelec who is in charge of traffic at the present time has indicated that he has had meetings with the Department of Public Works and they are looking into the feasibility of possibly holding hearings themselves in regards to posting notices of possible changes in green, yellow and red zones in various neighborhoods.

COMMISSIONER CIANI: I am looking at the possibility of holding these matters up. When we do get the report if it indicates that the procedure should be changed that we do have wide enough public notice so that anyone who wants to suggest a change to something that we have already approved could come forward at that time.

COMMISSIONER MURPHY: I would like to also add that it has been my experience in the past that you could publicize or say that you are going to have a hearing and unless it happens to get to the right people who have the time to come down and hear it it is pretty fruitless. It seems to me that if some means could be devised to advertise it is anticipated or it has been requested that we put a red zone of 15 feet in front of XYZ grocery store at such and such a time if that could be put in the neighborhood for the people who are really involved with it would have a chance to say uh, uh, we don't want that or we do want that or we take a 15 minute zone that is better, then we can have a hearing.

CAPTAIN KORELEC: There could be problems in holding these hearings. How could we say that we could not give it to another business based upon the criteria that we used, if it has to have a yellow zone for instance, people have to have a place to distribute their goods get off the street to avoid double parking or what have you. This is why the final report is being held up, we are looking into this in depth to see if there isn't some way we can't circumvent it from the public hearing end. I have been in touch with Myron Tatarian from the Department of Public Works because they already hold public hearings on taxicab zones, fire zones and bus zones.

COMMISSIONER CIANI: I want to clarify what my point was and that was if something was posted on any proposed change the people in the neighborhood would have an opportunity to submit written comment so that when this comes out we know whether or not anyone has suggestions. I don't know about your criteria on the businesses but it seems to me that nobody owns the curbing in front of his business establishment, so it is not a personal right to the person who still happens to be behind that curb.

CAPTAIN KORELEC: However, it is specific to the individual who travels in the general area. We find ourselves in this position, I think that we are opening up the box. Based upon a Federal Survey, somebody

says well I want a green zone or a yellow zone and we tell them that we are not going to give them what happens to the other green zones that have been given out. Well, he automatically, I would assume, take legal recourse or the business would take legal recourse of some sort to get the zone, because we would, in effect, be tampering with his business.

COMMISSIONER GALLEGOS: That is why we want you to look into this for us.

CAPTAIN KORELEC: Well, this is what is holding it up. We went as far as to find out the responsibility as it is now is apparently that of the Police Commission. And under the particular legislation that we are operating with it can not be circumvented because I thought maybe you could give it to the Department of Public Works.

COMMISSIONER SIGGINS: We were expecting a report regarding the laws in which we are operating under now.

CAPTAIN KORELEC: Well, I will have something prepared.

RESOLUTION NO. 32-76

DAVID CHA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Cha against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 33-76

OLE B. CHRISTENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ole B. Christensen against the City and County of San Francisco in the sum of $95.54 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 6, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 34-76

JAMES A. FELDPOUCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James A. Feldpouch against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 15, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 35-76

MICHAEL S. HOUSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael S. House against the City and County of San Francisco in the sum of $15.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 6, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 36-76

JOHN W. HURLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John W. Hurley against the City and County of San Francisco in the sum of $35.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 37-76

JOHN H. LENAHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John H. Lenahan against the City and County of San Francisco in the sum of $134.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 12, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 38-76

RUBY LOW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruby Low against the City and County of San Francisco in the sum of $109.29 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 25, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 39-76

SUSAN PATUSZYNSKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Patuszynski against the City and County of San Francisco in the sum of $18.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO.40-76

HOWARD RICHARDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard Richardson against the City and County of San Francisco in the sum of $40.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 12, 1975 to October 25, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 41-76

DOLORES & JAMES SAUER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dolores and James Sauer against the City and County of San Francisco in the sum of $56.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 1, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 42-76

DR. SHLOMO TADMOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Shlomo Tadmor against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 43-76

PISA TUITASI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pisa Tuitasi against the City and County of San Francisco in the sum of $412.12 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 2, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 44-76

CHRISTINE WHITNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine Whitney against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 3, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 45-76

MARVIN FRIEDMAN AND HIS ATTORNEYS MARVIN LEWIS, LEWIS, ROUDA & WINCHELL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Marvin Friedman in the sum of $1,000.00 in Superior Court Action No. 643-838 entitled, "Marvin W. Friedman, Plaintiff, vs. City and County of San Francisco, etc., Defendants" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 12, 1971

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 46-76

IRA J. SARVIAN

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 316180 in the sum of $102.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 27, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 47-76

ROBERT VAILLANCOURT

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 317988 in the sum of $120.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 23, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Captain John B. O'Rourke, Ingleside Police Station, for service, effective January 7, 1976.

b) Sergeant Joseph A. O'Malley, Ingleside Police Station, for service, effective January 7, 1976.

c) Police Officer Michael Mattich, Taraval

Police Station, for service, effective January 1, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins stated that for subsequent meetings Commissioner Ciani would be assigned to peruse the monthly reports of the Police Narcotic and Contingent Funds prior to placing them on the Calendar for final approval.

RESOLUTION NO 48-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $4,166 charging same to Appropriation No. 5.161.890.050 to cover narcotic fund disbursements for the month of February, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 49-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $3,333 charging same to Appropriation No. 5.161.890.000 to cover contingent fund disbursements for the month of February, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 50-76

REQUEST TO RELEASE RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release reserve funds in the

sum of $6,600 from Appropriation No. 5.161.800.000.000 (Fixed Charges) for the lease from the State of California of the parking lot at Ahern and Harriet Streets, used by Police Department vehicles as parking space.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Police Officer Lloyd A. Hill, Traffic Bureau, for permission to file a civil suit for damages sustained in an automobile accident, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION DELETING RULE 2.18 OF THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT (APPEARANCES BEFORE THE POLICE COMMISSION.) - CONTINUED TO FEBRUARY 18, 1976.

Commissioner Siggins stated that in regards to the above proposed amendment to the Rules and Procedures that since the Commission is a Semi-Judicial Body there should be some kind of dress provisions required for members appearing before us.

Chief Gain: We will submit to you by next week a suggestion that we adopt a rule that members be required to appear in suit and tie or sport coat and tie.

I would request that the above rule stay on calendar and that it be officially adopted as a notice so that it could be calendared two weeks hence and next week I will give you the other rule that we discussed and that can be calendared for next week's meeting.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PUBLIC HEARING ON THE SAN FRANCISCO POLICE DEPARTMENT'S BUDGET

Captain William J. O'Brien, Department Secretary: The Chief has submitted a proposed budget for the Fiscal

Year beginning July 1, 1976 and ending June 30, 1977. The Budget totals $77,305,142.00, the present years' budget is $71,906,551.00. The proposed budget is an increase of $5,398,591.00, or seven and one half (7-1/2%) percent. I would like to call to the attention of the Commission that sixty percent of this seven and one half percent increase is made up of mandatory salary increases, fringe benefits and salaries for additional civilian personnel that have been requested. Of the total proposed budget the total seventy seven million dollar budget ninety-two point seven percent is for personnel services of all kinds. That's salaries, overtime, fringe, medical and whatever. Seven point three percent is for contractual services, materials and supplies, equipment and etc., the things that we need to operate the Department for the coming fiscal year. There are two items in the budget which may be the subject of particular discussion at today's meeting. One is the Budget recommends the deletion of twenty-seven solo/motorcycle positions (twenty-five police officers and two sergeants), not the personnel, just the positions, the personnel will remain in the Department, so that the personnel can be reassigned to the Patrol Bureau in order to place additional personnel resources in crime related activities. This simply to transfer personnel will enable the Department to have a more effective impact upon serious crime, which is the goal of the Department. As a consequence of this re-assignment of these motorcycle officers, the Department is requesting eight additional black and white patrol cars for assignment to the district police stations to take care of these officers but we are deleting the request that was requested in this budget for the replacement of solo/motorcycles as they will no longer be needed. The second item of particular discussion is a recommendation that the Commission create the position of the Director of Community Relations at a salary of $27,600.00 per year. This position would be exempt from the Civil Service provisions of the Charter would place the salary of the Director between Lieutenant and Captain and would upgrade the Bureau of Community Relations to its proper place within the Department. If this is approved, it is the Chief's intention to recommend the consolidation of the Community Relations Bureau and the Public Affairs Office and probably to change the names of both units to Community Affairs Bureau.

Louise Statzer, speaking in behalf of the Transport Workers Union, AFSCME, The American Federation of City and County Municipal Employees and UCE, Union of City Employees. The first item is on page 2, number 384001 which is the clothing for the Civilian Uniforms, and that has a zero, you deleted that from the budget? You have no funds allotted for the Civilian Unforms? I wrote a letter to Chief Gain and I also gave copies of that letter to the Commission Secretary for each one of the Commissioners. I don't know if you are aware of it but the people that were called under the Civilian Uniforms are the people that are in unit 9 Security that has been designated by the note on the Employee Relations Ordinance and there is an election coming up for people in unit 9. That election is taking

place on the date of February 17 through the 20th, we would like to not include this item in the Budget at all, don't delete it, don't do anything, just leave it because we feel that that would be something that we would be able to negotiate under meet and confer. Civilian Employees as you know do not get a uniform allowance, parking control, traffic control, they have to buy their uniforms and those uniforms cost two or three hundred dollars and I understand that there is a new uniform coming out that they are going to have to purchase when the ones they are wearing now wear out. We feel that some kind of stipend or something should be given to those employees and there are four categories; the 8207 Building and Grounds Patrolmen, 8214 Parking Control Persons, 8215 Traffic Control Officer and the 8217 Station Officer. Also I understand that fingerprint technicians which are 8215, if they work upstairs in the City Prison they also have to purchase a jump suit. So we would like to leave that item under meet and confer.

Captain O'Brien: That is exactly why there are no funds requested for those items plus the fact that the City Attorney has advised us that Civilians could only be given uniforms if there was a change in the Ordinance that provided for it. Just as there was an Ordinance passed providing uniforms for policemen and firemen. But it was the Chief's idea that this was something that the Union or Association could negotiate with the City on this particular item.

Louise Statzer: What I would like is for the Department to set aside some funds so that when we do meet and confer on that particular item, there will be funds there for those people to have the money to get the uniforms.

Captain O'Brien: What would happen if this becomes part of the wage package the Controller would make the necessary adjustments in our budget to provide for whatever they obtained.

Louise Statzer: The other item is on page 9, and that is the 8250 Fingerprint Classifier and Clerk. I wrote a letter as I said to you before. In January of 1973, the Fingerprint Classifier put in a request for upgrading and a title change. They were successful in having their title changed from Fingerprint Classifier and Clerk to Fingerprint Technician. They were also surveyed by the Civil Service Staff and both positions were audited and they agreed that those people, the 8250 is a dead end classification and there should be some lines of promotion for them. So they recommended Fingerprint Technician I, II and III. Now we went before the Finance Committee on this before with Lieutenant Lennon from Planning and Research. We were not granted the monies for the 8249 Fingerprint Technician I and the 8251 Fingerprint Technician III, however, in your budget you don't have any reference to having anything in there so that these people would have an opportunity to promote. There is nothing in your budget to even indicate you want

to have a Fingerprint Technician I or Fingerprint Technician III.

Captain O'Brien: I understand that these three different classifications have been approved by Civil Service and there are no promotive list out at the present time. They haven't given the examination for it. We are waiting for them once the list comes out we will request them.

Louise Statzer: Well, we will just have to go again on a Supplemental and again before the Finance Committee and then again denied?

Captain O'Brien: Well, we hope it won't be denied, but we will have to face that when it comes.

Mr. A. R. Roderick from the Civilian Arm of the Community Relations Unit, Taraval District, submitted a written request regarding items in the budget he would like to discuss. He pointed to such things as the Mounted Unit, and questions San Francisco's jurisdiction for the patroling of the Ocean Beach. He was advised by Commissioner Richard Siggins that this matter would be taken up at next week's meeting.

Sergeant Gale Wright, Traffic Bureau, requested to speak on the proposed deletion of 25 solo/motorcycle officers from the budget and appealed to the Commission and the Chief to not arbitrarily delete those positions but to do away with them by attrition. He stated that there would be a number of retirees around July 1, and the difference between that number and the Chief's number would only be five or six positions. He then submitted written documentation of his proposal to the Commission.

Chief Gain stated that there probably would be five or six persons who might be affected and he was still having conversations about it. However, he stated that his recommendation to delete 25 solo/motorcycle patrolmen and two Sergeants still stands. Provisions could be made for an extended date after July 1, to a later time in regard to the five or six positions if we should chose to do so after the development of facts. He further stated that the budget could be submitted as it is now effective 1 July and in the interim between now and 1 July we may well know relatively soon if we find that there are six persons who by 1 October will retire or be transferred whatever, then we can adjust the effective date of the budget in regards to six positions. He stated that we should have more factual information on this matter in two weeks.

Sergeant Louis Calabro, Mission Station,

requested to speak in opposition of the proposed elevation of the Commanding Officer of the Community Relations Unit and the increase of his salary commensurate with his proposed authority and responsibility. He cited various sections of the Rules and Procedures of the Police Department, Charter Sections, and Sections from the Government Code to support his argument that the proposed elevation would be illegal.

Mr. Joe Johnson, who works in the Mayor's Office as Deputy for Neighborhood Development, requested to speak in support of the proposed elevation of the Commanding Officer of the Community Relations Unit.

He stated that he came as a representative of several community organizations headed by the Baptist Ministers Conference under the leadership of W. R. Drummond representing some 135 Ministers and some 45 churches.

He further stated that he wished that the Commission would consider favorably the modification of the salary of the Director of the Community Relations and give it the rank and the prestige that it needs to continue functioning because it is now an integral part of San Francisco.

Chief Gain instructed Captain George Eimil, Director of Personnel to produce and read a City Attorney's opinion which stated that the status of the Commanding Officer of the Community Relations Unit could be elevated to that of a Director and the proposal to do so in the budget has been interpreted to fall within the legal boundaries of that opinion.

Commissioner Siggins: Chief Gain, do you think that you could find someone within the rank of Captain assuming that there is a legal problem making it insurmountable?

Chief Gain then stated that that focuses upon an individual and that he would speak to that: "It so happens that Community Relations effectiveness and reliability relates to one individual. As a factual matter it happens to be the head of the Community Relations Bureau and especially Director Rodney Williams. It is my judgement, Rodney Williams as an individual, in his long history in Community Relations has been the one who has brought about the trust and the rapport and communications to which I have referred and that that individual could not be replaced by anyone else in the San Francisco Police Department. Specifically therefore in my judgement a Captain, neither a Captain nor any of the appointive positions between Captain and my office could fill that position it does now relate to an individual and that happens to be the way of organizational life. Many times where in a given history an organization in a city, it's an individual who accomplishes things in a remarkable way and

who, as an individual, would stack up of course if fewer members had brought about these factors that I mention. So therefore I would submit, no, I do not have an individual from the rank of Captain and there are some 33 of those and nor among the appointive positions and some are sitting here tonight, who could assume that position and perpetuate what is essential and that is the relationship between the San Francisco Police Department and its communities, particularly the Subcommunities.

Commissioner Siggins called for a poll of the Commissioners and the budget was passed as submitted.

RESOLUTION NO. 51-76

RESOLVED, that the Budget of the San Francisco Police Department for the Fiscal Year 1976/77, as submitted by Chief of Police Charles R. Gain in the following amount, be, and the same is hereby approved:

Budget - $77,305,142

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT.

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, January 31, 1976 at 2400 hours, as follows:

Daily average for the week, sick	72
Daily average for the week, disabled	99
TOTAL	171
Daily percentage for the week, sick	3.76
Daily percentage for the week, disabled	5.28
TOTAL	9.04

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MICHAEL T. GALLGHER, TRAFFIC BUREAU - CONTINUED OFF CALENDAR

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

POLICE OFFICER DONALD G. LAUFER - IN MEMORIUM

A communication was received from Chief of Police Charles R. Gain officially notifying the Police Commission of the death of Police Officer Donald G. Laufer, Northern Police Station, who died on Saturday, January 31,1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting in memory of Officer Donald G. Laufer.

SECRETARY

DOCUMENTS
FEB 18
SAN FRANCISCO PUBLIC LIBRARY

9 FEBRUARY 1976 SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, February 9, 1976 at 1800 hours, in Special Session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 2, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 52-76

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CHINATOWN RICKSHAW PERMIT) HEARING TO REVOKE - CONTINUED FOR THIRTY (30) DAYS

WHEREAS, there was granted to Edmund L. Jung on August 10, 1964, a permit and/or license for the operation of three (3) Chinatown Rickshaws; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Edmund L. Jung was not operating his Chinatown Rickshaw, and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Mr. Edmund L. Jung appeared before the Police Commission on Wednesday, July 30, 1975, Wednesday, October 8, 1975, Wednesday, December 10, 1975, and on Monday, February 9, 1976, and each time requested an extension of time to allow him to resume his Chinatown Rickshaw service; and

WHEREAS, the Police Commission feels that an additional extension of thirty days should be granted to Mr. Jung contingent upon his producing concrete evidence to the Commission of his request before the

Board of Supervisors and their acquiescence in bringing about legislation which would authorize him to charge a higher fee for the passengers utilizing his rickshaw services; therefore be it

RESOLVED, that the request of Mr. Edmund L. Jung for an extension of time to which the Police Commission does hereby grant for a period of thirty (30) days from February 10, 1976 to March 10, 1976 to resume his Chinatown Rickshaw service, be, and the same is hereby approved.

AYES: Commissioner Ciani, Gallegos, Hall, Murphy, Siggins

The Police Commission then went into Executive Session:

Meet and Confer with the San Francisco Police Supervisors and Investigators Association.

Meet and Confer with the San Francisco Officers For Justice.

The Commission then adjourned its meeting.

SECRETARY

11 FEBRUARY 1976 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 11, 1976 at 1800 hours in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

DOCUMENTS

SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 4, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief of Police Charles R. Gain, was unable to give his weekly report to the Commission having been called away to handle other police matters of a vital nature.

Sergeant Lynn Etherington, Traffic Survey Department, submitted a report to the Police Commission regarding the following questions raised by the Commission at its meeting of February 2, 1976, on the installation of zoning for the regulation of traffc on the public streets:

1. What criteria is used in granting parking zones?

2. Could we open this to public hearings?

Commissioner Siggins suggested that prior to taking any official action on this matter, that the Commission should first take the next few days to study the Traffic Survey Department's report.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the

Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

SOUTH SIDE OF MC ALLISTER STREET-DEPT OF PUBLIC WORKS

a) On the south side of McAllister Street, (at Leavenworth) install a 68' red zone, to extend from the easterly line of the east crosswalk to the westerly line of the west crosswalk (on south side of McAllister).

1481 THIRD STREET - COFFEE & TEA LTD.,

a) At 1481 Third Street, install a 20' green zone, to extend from 20' - 40' south of the north property line.

SOUTH SIDE OF PHELAN AVENUE - CITY COLLEGE OF SAN FRANCISCO

a) On the south side of Phelan Avenue, install a 106' green zone, to extend from the City College administration lot entrance to the Cloud Circle entrance.

434 O'FARRELL STREET - AVCAR-RENTAL OF SAN FRANCISCO, INC.

a) At 434 O'Farrell Street, install a 24' white zone, to extend east of the west property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter OFA-418.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 247 feet of yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 53-76

ROBERT J. MACEY AND HIS
ATTORNEY MICHAEL J. MANDEL

RESOLVED, that the recommendation of the City Attorney for full settlement of costs due on case tried on Petition for Mandamus-Annulment of Decisions of Retirement Board and Police Commission, in Superior Court Action No. 687-372, in the sum of $590.98, be, and the same is hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 54-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR HAROLD M. SUSLOW, BUREAU OF INSPECTORS, TO ATTEND A STATE-WIDE CONFERENCE OF THE CALIFORNIA METAL INVESTIGATORS ASSOCIATION ON JANUARY 29, 1976 AND JANUARY 30, 1976, IN SACRAMENTO, CALIFRONIA.

WHEREAS, on the recommendation of the Chief of Police, Inspector Harold M. Suslow, Bureau of Inspectors, received permission from the Police Commission to attend the State-Wide Conference of the California Metal Investigators Association at Sacramento, California; and

WHEREAS, Inspector Harold M. Suslow, did travel to Sacramento, California, to attend said conference on January 29, 1976 and January 30, 1976; therefore be it

RESOLVED, that expenses in the amount of $54.40 incurred by Inspector Harold M. Suslow, Bureau of Inspectors, while attending this conference are hereby approved. Expenses will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Police Officer Thomas J. Sweeney, Traffic Bureau, for permission to file a civil suit for damages sustained in an automobile accident, be, and the same is hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Gerald T. Golden 132 Codo Street Moss Beach, California	Thomas Hardy 749 London Street San Francisco, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 55-76

AUTHORIZING ATTENDANCE OF INSPECTOR TIMOTHY F. CASEY AND ASSISTANT INSPECTOR JOHN S. SULLY, BUREAU OF INSPECTORS, AT THE SOUTHERN CALIFORNIA ROBBERY INVESTIGATORS ASSOCIATION STATE ROBBERY SEMINAR IN SAN JOSE, CALIFORNIA, ON FEBRUARY 11, 12, AND 13,1976.

RESOLVED, that the recommendation of the

Chief of Police that Inspector Timothy F. Casey and Assistant Inspector John S. Sully, Bureau of Inspectors, be detailed to attend the Southern California Robbery Investigators Association State Robbery Seminar in San Jose, California, on February 11, 12, and 13, 1976, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Timothy F. Casey and Assistant Inspector John S. Sully, Bureau of Inspectors, in a sum not to exceed $91.00 each in attending the Southern California Robbery Investigators Association State Robbery Seminar in San Jose, California, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

PROPOSAL TO AMEND RULE 2.18 OF THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT. (Appearances before the Police Commission.)

AMEND:
2.18 Unless directed by the Chief of Police to appear in uniform, a male sworn member shall, when appearing before the Police Commission at Police Commission meetings, either on or off duty, be dressed neatly in civilian attire which shall include the wearing of a shirt with tie and a suit coat or sports coat. Female sworn members shall be neatly dressed.

For the purposes of this rule, an appearance is the presence of any sworn member of the Police Department in the audience, who addresses the Police Commission on any subject, or who sits at Counsel's table and acts in his own behalf or in a representative capacity for any other officer, person or organization.

Captain O'Brien, Department Secretary, stated: "You recall last week's meeting that there was an item on calendar to repeal this rule requiring members of the Department to appear in uniform before the Commission and there was some discussion on it. This is the request now to amend the rule to provide that the Chief may order members to appear in uniform but in the event that he decides that they should not appear in uniform, then it gives some type clothing that they must wear. They must wear a suit, coat or a sports coat and a tie and a shirt.

Commissioner Siggins: I read it and the way I read it now is that if the Chief doesn't order somebody to come in Uniform then they can't come in Uniform, they have

to wear civilian clothes. So why can't someone if they want to wear a uniform come to a meeting in their uniform?

Captain O'Brien: Well, I just think the Chief's idea was that it wouldn't be necessary to wear the uniform except on a special occasion and he wanted to have some kind of a rule where everyone would be the same.

Commissioner Siggins: Right, now suppose somebody came in for a disciplinary hearing and they wanted to wear their uniform? As I read it here they are out of.....

Captain O'Brien: The Chief could instruct them to wear their uniform.

Commissioner Siggins: Suppose I wanted to wear a uniform. It says "unless directed by the Chief, a male sworn member shall be dressed in Civilian Attire." It would seem to me that there could be.....

Captain O'Brien: Well, we could add it in there because next week is when you could take action. We could put "unless ordered by the Chief of Police or at the option of the Wearer."

Commissioner Siggins: Yeah, that's what I meant.

Commissioner Ciani: You could substitute the word "may " for "shall" in those places, I think it might..... The way it is written, female members shall be dressed, there isn't any....the phrase about the direction of the Chief of Police on who shall appear in uniform doesn't apply to the Female. So it should be,.....it should not be a separate sentence. It should have this, place a colon here and make it (1) and (2).

Attorney Stephen B. Bley representing the Police Officers' Association: In regards as to what you are stating that there are many witnesses or officers that are called at future hearings either during their working hours or coming right after and by necessitating as you point out that they could not wear uniforms would be creating a greatinconvenience and added expense of having them run home and get civilian clothes, so I would certainly concur with your suggested changes that "Unless directly ordered by the Chief to wear the uniform, they may or may not wear a uniform but must appear under the aforementioned stipulated coat and tie, etc.

Commissioner Siggins: I would just say,see line four Captain? I would just say, "either on or off duty be dressed in uniform or neatly in civilian attire."

Commissioner Murphy: "Unless otherwise ordered by the Chief of Police."

Commissioner Siggins: Yes, that is up in front.

Captain O'Brien: We can say the same thing about the female members then, "unless ordered by the Chief of Police."

Commissioner Siggins: Commissioner Ciani points out that perhaps at the end of the first line, uniforms should be ended with a colon and a semi-colon after sports coat in the last line

Commissioner Ciani: And put a -1- in () parenthesis before, "a male sworn member," and then a semi-colon and a -2- in () parenthesis before, "and female sworn members," so that the first phrase modifies both.

Stephen Bley: Is there any discussion as to what constitutes female neat attire dress and or pants suit or something along that line?

Captain O'Brien: That is why we made that brief, we didn't want to get into that.

Stephen Bley: We just want a little interpretation here. Some one comes in in a neat pair of culottes or something like that. Could that cause a problem?

Commissioner Murphy: I think that this is a judicial group. I think most judges for example, ask men to dress more appropriately when they are in inappropriate dress.

Stephen Bley: Not to belabor the issue, but I could see that if some Commissioners felt that pant suits were not appropriate, I think the courts now certainly have no objection to a female entering court in pants, but there was at one time. I think there might be a ..... perhaps a point to have some delineation that pants would be appropriate. It would certainly seem appropriate to allow a police person to wear a pants suit.

Commissioner Siggins: Yes, but I don't think it has to be spelled out or anything.

Stephen Bley: If the Commission feels at this point that it would not be a problem, we would not want to see at a future time when someone comes in with a very avant garde pants suit that there would be objections.

Captain O'Brien: Next week is when it is up for action.

Commissioner Murphy: I think we could add, "neatly and appropriately dressed." I can see some one in a pants suit but not in shorts or something of that nature or a halter.

Stephen Bley: I agree with you, but simply from a legal standpoint that is an open definition, but I guess we can cross that bridge when we get to it.

Commissioner Siggins: Captain O'Brien is that alright? Then it is understood that this will be presented next week as modified.

MR. A. R. RODERICK, MEMBER OF THE COMMUNITY RELATIONS EXECUTIVE BOARD, TARAVAL POLICE DISTRICT.

Commissioner Siggins: Mr. Roderick is not present. We knew that he would be on calendar tonight. I will take it upon myself to contact him. I know he wanted to make a presentation and we will put it over to a later time.

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, February 7, 1976 at 2400 hours, as follows:

Daily average for the week, sick	57
Daily average for the week, disabled	94
TOTAL	151

Daily percentage for the week, sick	2.94
Daily percentage for the week, disabled	5.05
TOTAL	7.99

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 56-76

POLICE OFFICER MICHAEL T. GALLAGHER, TRAFFIC BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael T. Gallagher, as follows:

SPECIFICATION NO. 1

Failure to Obey a Lawful Order of a Superior Officer (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Leaving an Assigned Detail without Lawful Authority (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

and

WHEREAS, further charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael T. Gallagher, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor while off duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

by Charles D. Korelec, Captain of Traffic, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Michael T. Gallagher, Traffic Bureau, be, and the same is hereby set for Wednesday, February 25, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 57-76

HEARING OF POLICE OFFICER MICHAEL CHAN, NORTHERN POLICE STATION

WHEREAS, the hearing of Police Officer Michael Chan, Northern Police Station, was called, it having been set for this date; and

WHEREAS, at the meeting of Wednesday, February 11, 1976, Mr. Stephen Bruce Bley, stated that the injuries sustained by Police Officer Michael Chan, while in the performance of his duties, are so serious that he has been incapacitated for the past several weeks with the possibility of facing further hospitalization; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael Chan will be held in abeyance pending notification by Dr. Norman Steiner, Police Surgeon, of Police Officer Michael Chan's suitable recovery, and certifi-

cation to return to duty.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 58-76

WITHDRAWAL OF CHARGES FILED AGAINST POLICE OFFICER RAYMOND R. PORTUE, CRIME SPECIFIC TASK FORCE.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Raymond R. Portue, Crime Specific Task Force, as follows:

SPECIFICATION NO. 1

Use of excessive force against a citizen without lawful authority (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Failure to answer truthfully and without evasion questions propounded (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

by James H. Ludlow, Captain of Police, former Commanding Officer of the Field Patrol Company; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on December 3, 1975, against Police Officer Raymond R. Portue, Crime Specific Task Force, be, and the same are hereby withdrawn; and be it further

RESOLVED, that the filing of said charges against Police Officer Raymond R. Portue on December 3, 1975, and subsequent withdrawal of same on February 11, 1976, shall not in any way have a reflection on the veracity or the ability of the officer and he shall be returned to his previous status of Departmental respectability, earned prior to said charges being filed against him.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Captain O'Brien: In July of last year the former Police Commission approved a request for a Supplemental Appropriation for the purpose of making two new appointive jobs within the Police Department. One was the Director of the Police Community Relations Bureau and the other was Custodian of Property down in the Property Clerks' Office. As you know the Custodian of Property position is not in the new budget but the Director of Community Relations is. What we are requesting is that we pull back the first request for a Supplemental Appropriation and the Commission adopt a new one having just the Director of the Police Community Relations Bureau with the hope that this could be made effective prior to July 1, it has been hanging fire for quite some time and we've set a date of March 3, on our Supplemental Appropriation whether it will be that quick, we don't know, but we have to pick some date to get it started.

Commissioner Siggins: Are you going to give us the figures?

Captain O'Brien: Yes, this is a request from any fund designated by the Mayor or Controller in the amount of $13,495.00. That would carry him from March 3, through the fiscal year. That takes care of the Health Service, the retirement, the fringe beneifts, plus the salary.

Stephen Bley: May I speak Mr. Commissioner? I am not sure I understood what is happening. There was no notice on the agenda, it is simply presented that the Commissioners have been asked to support the Chief's position that there be a recommendation for some funds for what, I heard the two positions, but it wasn't clear.

Captain O'Brien: In July of last year the Commission approved a Supplemental Appropriation for two positions, the Custodian of Property and the Director of Police Community Relations. The Custodian of Property position has been dropped from the budget. Therefore it is not in contention now. We are requesting permission to recall the first Supplemental Appropriation and put in a new Appropriation with just the one position of Director of Police Community Relations in it.

Stephen Bley: Does this tie in with the request that was made earlier reclassifying or redesignating the position of the head of the Community Relations?

Captain O'Brien: That is correct.

Stephen Bley: You had it on Calendar last week.

Captain O'Brien: That was a budgeted item, it is in our budget.

Stephen Bley: Was there any action taken by the Board in asking the approval of changing the status because I understand there was an elevation in the line of Command from.....

Captain O'Brien: It was setting a salary for the position higher than it is now and the Police Commission approved the budget of which that was a part and it has gone up to the City Hall now for further hearings at the Mayor's Office and the Board of Supervisors.

Stephen Bley: This is simply the mechanics of raising the .....

Captain O'Brien: This is the mechanics to have it started sooner than July 1, if the money is appropriated. (See Resolution No. 60-76, Page 96.)

Stephen Bley: Thank you.

STATEMENT OF THE COMMISSION

Commissioner Siggins: There is a comment the Commission wanted to make about an article in today's San Francisco Chronicle about the anticipated Supplemental Appropriation in the sum of $7,500 dollars to change this platform and Commissioner Hall wanted the contract, Commissioner Murphy said she could do it herself. All we really wanted to do was change some of the things over on that side, left side of the bench here. We don't want to spend $7,500 dollars.

Commissioner Murphy: No way.

Commissioner Ciani: I think the record should show in the light of this reporting a request was put in prior to the time we were appointed and that we don't intend to spend that kind of money on improving either this bench or the public address system which is rarely, if ever, used and is something we are prepared to forego, and we are going to investigate and doing the job with minor carpentry so that our legs would fit under here and pending some solution, we will consider withdrawing or supplementing to reduce that budget request. I don't know what the procedure would be, but if it appears that we can do it less expensively, we will withdraw that

budget request, otherwise we will reduce it to whatever is necessary to do the job that we feel is necessary to do.

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF PARKING CONTROLMAN MARY GLASS, TRAFFIC BUREAU

The hearing of the appeal of the suspension of Parking Controlman Mary Glass, was called, it having been set for this date. Parking Controlman Mary Glass appeared in person and was represented by Mr. Stewart Weinberg, Attorney at Law.

Captain Mortimer F. McInerney, Acting Chief of Inspectors, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Sergeant Raymond Michelis
Traffic Bureau

Sergeant Edgar J. Eimil
Traffic Bureau

Parking Controlman Lester Santos
Traffic Bureau

Parking Controlman Deanna Faenzi
Traffic Bureau

The following named witness appeared for the Defense, was sworn and testified:

Parking Controlman Mary Glass
Traffic Bureau

The following exhibit was read into Evidence by the Defense:

EXHIBIT A - Statement of Dr. Edward D. McLin, 450 Sutter Street, San Francisco, regarding Parking Controlman Mary Glass' Physical condition.

Captain Mortimer F. McInerney, Prosecutor for the Police Department, sunmitted the closing argument on behalf of the Prosecution.

Mr. Stewart Weinberg, Attorney for the Defe[illegible]

submitted his closing argument on behalf of Parking Controlman Mary Glass.

At the conclusion of the testimony the Police Commission recessed from 2017 hours to 2053 hours, after which the following resolution was adopted:

RESOLUTION NO. 59-76

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF PARKING CONTROLMAN MARY GLASS, TRAFFIC BUREAU

WHEREAS, Parking Controlman Mary Glass, Traffic Bureau, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of five (5) working days effective 0001 hours, Monday, November 17, 1975, and terminating at 0001 hours, Saturday, November 22, 1975; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Parking Controlman Mary Glass, Traffic Bureau, did file with the Secretary of the Police Commission a written appeal of her suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, February 11, 1976; and on Wednesday, February 11, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Parking Controlman Mary Glass are sustained by the evidence presented at the said hearing held on February 11, 1976, and that Parking Controlman Mary Glass violated Sections 9.29, 2.45 and 9.149.1 of the Rules and Proceudres of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the suspension of Parking Controlman Mary Glass, Traffic Bureau, from duty without pay for five (5) working days effective 0001 hours, Monday, November 17, 1975, and terminating at 0001 hours, Saturday, November 22, 1975, be, and the same is hereby affirmed and approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Recess taken in the hearing of
Parking Controlman Mary Glass:

2017 hours to 2053 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

RESOLUTION NO. 60-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $13,495 from any fund designated by the Mayor or Controller, and credit it to the following appropriations in the amounts indicated:

Appropriation No.	5.161.110.000.000 Permanent Salaries - Uniform Mandatory Fringe Benefits	$8,507
Appropriation No.	5.161.860.863.000 Retirement	$4,901
Appropriation No.	5.161.860.865.000 Health Service System	$ 87

to provide funds for the position of Director of Community Relations effective March 3, 1976, at a salary which is equivalent to that of a Q80 Captain of Police ($2444 per month) providing the increase of 13.5% effective October 15, 1975, currently in litigation, is approved. However, if said increase is ruled illegal by the Courts, then said salary would revert to the amount of a Captain's salary prior to said increase which was in the amount of $2162 per month.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

MATRON MRS. MARY C. PETERS - IN MEMORIUM

A communication was received from Chief of Police Charles R. Gain officially notifying the

Police Commission of the death of Matron Mary C. Peters, City Prison, who died on Wednesday, February 11, 1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

The Commission then adjourned its meeting in memory of Matron Mary C. Peters.

SECRETARY

DOCUMENTS
FEB 25 1976
SAN FRANCISCO PUBLIC LIBRARY

18 FEBRUARY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 18, 1976 at 1800 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 11, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF GAINS' REPORT TO THE POLICE COMMISSION.

Chief Gain: "Within approximately three weeks, I will be recommending to the Commission an interim reorganization plan. There is an immediate need to restructure the top command functions and ranks so as to narrow the span of control, and perhaps to eliminate some of the present titles we have and adopt more appropriate ones. Appropriate personnel, e.g., officers of the several employee organizations and ranking officers, will be conferred with regarding the plan during various stages of its development and before it is submitted to the Commission.

I will be appointing persons to exempt positions in approximately three weeks in conjunction with, or at an appropriate time, following the adoption of, the interim reorganization plan. The appointments will be made in accordance with Charter Sections 3.533 and 3.501.

A Training Committee, comprised of three (3) male and three (3) female officers from the 126th and 127th Recruit Classes, Training Staff, and persons from Project Agility, are developing a continued Recruit Class Curriculum for the 126th and 127th Classes.

In-depth surveys are being made of the Internal Affairs Bureau and the Permit Bureau. Procedural and other changes are needed in the I.A.B. process. As regards to the Permit Bureau, there are some problems attending the issuance of the various types of permits as, for example, how they are being issued in the several district stations and the Hall of Justice, and I want to ensure uniformity. There are questions to be answered in the survey, e.g., whether Police Personnel should be issuing permits; whether, perhaps, non-sworn personnel could be utilized; or whether the permit issuance process

should remain in the Police Department. If changes in either bureau function is warranted, appropriate recommendations will be submitted to the Commission.

Lastly, a drinking on-duty problem exists within the Department and it is requested that the Police Commission adopt the following in the form of a resolution:

> While the Police Commission cannot prejudge disciplinary cases that may come before them, we cannot foresee any circumstances that would permit us to continue the employment of an officer found guilty of intoxication on-duty. We further feel that strong action must be taken to eliminate drinking while on duty, or whether on or off-duty, to such an extent that an officer will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner.

I will be issuing a memorandum to all personnel regarding the prohibition against drinking on-duty which will be done shortly."

RESOLUTION NO. 66-76

STATEMENT OF THE POLICE COMMISSION REGARDING INTOXICATION AND DRINKING ON DUTY

WHEREAS, Chief of Police Charles R. Gain appeared before the Police Commission and requested the Police Commission adopt a policy statement in the form of a resolution regarding police officers drinking on duty; and

WHEREAS, the Police Commission, in concurrence with Chief Gain's request, will adopt a policy statement which reads as follows:

> While the Police Commission cannot prejudge disciplinary cases that may come before them, we cannot foresee any circumstances that would permit us to continue the employment of an officer found guilty of intoxication on duty. We further feel that strong action must be taken to eliminate drinking while on duty, or whether on or off duty, to such an extent that an officer will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner.

therefore be it

RESOLVED, that it is the order of the Police Commission that the policy statement as written above

and requested by the Chief of Police, be, and the same is hereby approved; and be it further

RESOLVED, that it is the order of the Police Commission that said policy statement is to be distributed in the form of a Permanent Order to all stations and bureaus in the Department.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF GAIN

"A more comprehensive report regarding the installation of the various traffic zones is to be forthcoming from Captain Charles D. Korelec, Commanding Officer of the Traffic Bureau."

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

540 BUSH STREET - MR. RICHARD W. STOREK

a) At 540 Bush Street, install an 18' yellow zone, to extend east of the west property line.

1519 O'FARRELL STREET - SAN FRANCISCO REDEVELOPMENT AGENCY

a) At 1519 O'Farrell Street, install a 66' white zone, to extend from 24' - 90' west of Hollis Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

730-736 IRVING STREET - THE COUNTRY ROAD

a) At 730-736 Irving Street, install a 16' white zone, to extend east of the west property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter IRVING-718.

2829 CALIFORNIA STREET - SAN FRANCISCO AMBULANCE SERVICE

a) At 2829 California Street, install a 38' red zone, to extend east of the west property line.

WEST SIDE STEUART STREET., NORTH OF MISSION - GALBREATH-RUFFIN CORP.

a) On the west side of Steuart Street, north of Mission, install a 66' white zone, to extend from 124' - 190'north of Mission.

b) On the north side of Mission Street,, west of Steuart, install a 44' white zone, to extend from 120' - 164' west of Steuart.

c) Permission to display portable No Parking signs in conjunction with these white zones.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 377 feet of red and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 61-76

SHARON JOLENE LARIMORE AND HER ATTORNEY EDWARD C. BELL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Sharon Jolene Larimore, in the sum of $500 in Superior Court Action Number 661-741 entitled, "Sharon Jolene Larimore, Plaintiff, vs. City and County of San Francisco, etc., et al., Defendants", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident; September 8, 1972

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CALIFORNIA PEACE OFFICERS' TRAINING FUND

Chief of Police Charles R. Gain officially notified the Police Commission of the receipt by the San Francisco Police Department of a check in the amount of $120,694.95 from the California Peace Officers' Training Fund as the Police Department's reimbursement from this fund for the training of newly appointed police officers and in-service training of officers of the Department covering the second quarter for the fiscal year 1975/76.

The Police Commission acknowledged receipt of the check by the San Francisco Police Department, and ordered that it be forwarded to the Controller for deposit in accordance with the provisions of Chapter 10, Section 10.117.3 of the Administrative Code of the City and County of San Francisco.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Mrs. Barbara Hubner 7101 Thorndale Avenue Oakland, California	Mr. Winston Guey Wong 1500 South Van Ness Avenue San Francisco, California	1

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 62-76

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective 0000 hours, Thursday,

February 19, 1976, the Rules and Procedures of the San Francisco Police Department are hereby amended to read, as follows:

AMEND
2.18 Unless directed by the Chief of Police to appear in uniform:

1) A male sworn member appearing before the Police Commission at Police Commission meetings, either on or off duty, may be dressed in his official police uniform or may be dressed neatly in civilian attire which shall include the wearing of a shirt with tie and a suit coat or sports coat; and

2) A female sworn member appearing before the Police Commission at Police Commission meetings, either on or off duty, may be dressed in her official police uniform or may be neatly and appropriately dressed in civilian attire.

For the purposes of this rule, an appearance is the presence of any sworn member of the Police Department in the audience who addresses the Police Commission on any subject, or who sits at Counsel's table and acts in his own behalf or in a representative capacity for any other officer, person or organization.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NAY: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, February 14, 1976 at 2400 hours, as follows:

Daily average for the week, sick	49
Daily average for the week, disabled	99
TOTAL	148
Daily percentage for the week, sick	2.62
Daily percentage for the week, disabled	5.45
TOTAL	8.07

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 63-76

SERGEANT WILLIAM S. SISACK, CENTRAL POLICE STATION-CONTINUED OFF CALENDAR

WHEREAS, on Friday, January 17, 1975, at 0800 hours, Donald M. Scott, Chief of Police, San Francisco Police Department, suspended from duty without pay Sergeant William S. Sisack, Central Police Station, pending hearing before the Police Commission on charges to be filed against him; and

WHEREAS, on January 22, 1975, James M. Curran, Captain of Police, Commanding Officer of the Central Police Station, made and served charges against Sergeant William S. Sisack, reading as follows:

SPECIFICATION NO. 1

Conviction of a felony. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

WHEREAS, the Police Commission set Wednesday, February 18, 1976, as the date for hearing on charges filed against Sergeant William S. Sisack; and

WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of the resignation of Sergeant William S. Sisack from the San Francisco Police Department; said resignation effective February 18, 1976, which resignation was accepted with the condition that the services of Sergeant William S. Sisack have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Sergeant William S. Sisack, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 64-76

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER DENNIS O'BRIEN, INGLESIDE POLICE STATION

WHEREAS, Police Officer Dennis O'Brien, Ingleside Police Station, was suspended from duty without pay by Chief of Police Donald M. Scott, effective

0001 hours, Saturday, December 20, 1975, and terminating 0001 hours, Sunday, December 21, 1975; and

WHEREAS, charges of violating Rules 2.13 and 2.49 of the Rules and Procedures of the San Francisco Police Department were filed against him; and

WHEREAS, Director of Personnel, Captain George Eimil, stated that the evidence presented regarding the charges against Police Officer Dennis O'Brien is at best minimal and insufficient to reach a conclusion, and recommended to the Commission that the one-day suspension previously imposed not be sustained; therefore be it

RESOLVED, that the report and recommendation by Director of Personnel, Captain George Eimil, that Police Officer Dennis O'Brien's one-day Chief's suspension previously imposed not be sustained, be, and the same is hereby approved; and be it further

RESOLVED, that Police Officer Dennis O'Brien, Ingleside Police Station, be granted restoration of one day's salary from 0001 hours, Saturday, December 20, 1975 to 0001 hours, Sunday, December 21, 1975.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 65-76

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER STEPHEN J. VENTERS, INGLESIDE POLICE STATION.

WHEREAS, Police Officer Stephen J. Venters, Ingleside Police Station, was suspended from duty without pay by Chief of Police Donald M. Scott, effective 0001 hours, Saturday, December 20, 1975, and terminating 0001 hours, Sunday, December 21, 1975; and

WHEREAS, charges of violating Rules 2.13 and 2.49 of the Rules and Procedures of the San Francisco Police Department were filed against him; and

WHEREAS, Director of Personnel, Captain George Eimil, stated that the evidence presented regarding the charges against Police Officer Stephen J. Venters is at best minimal and insufficient to reach a conclusion, and recommended to the Commission that the one-day suspension previously imposed not be sustained; therefore be it

RESOLVED, that the report and recommendation by Director of Personnel, Captain George Eimil, that

Police Officer Venter's one-day Chief's suspension previously imposed not be sustained, be, and the same is hereby approved; and be it further

RESOLVED, that Police Officer Stephen J. Venters, Ingleside Police Station, be granted restoration of one day's salary from 0001 hours, Saturday, December 20, 1975 to 0001 hours, Sunday, December 21, 1975.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAR 3 1976
SAN FRANCISCO PUBLIC LIBRARY

25 FEBRUARY 1976 REGULAR MEETING

≡ Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 25, 1976 at 1830 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 18, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF GAINS' REPORT TO THE POLICE COMMISSION

Chief of Police Charles R. Gain was unable to submit his report to the Police Commission due to illness.

RESOLUTION NO. 67-76

CLARENCE BARKELEY AND HIS ATTORNEYS JUDGE BERNARD GLICKFELD, HANCOCK AND HANCOCK

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Clarence Barkeley, et al., in the sum of $250.00 in Superior Court Action No. 667541 entitled "Clarence Barkeley v. City and County of San Francisco, et al., " as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 21, 1972

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 68-76

MICHAEL STUART AND HIS ATTORNEYS FRIEDMAN AND SLOAN.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael Stuart, et al., in the sum of $400.00 in Superior Court Action No. 695-815 entitled, "Michael Stuart v. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 3, 1974

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 69-76

RAYMOND HOGAN AND HIS ATTORNEY DENNIS B. NATALI

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Raymond Hogan et al., in the sum of $500.00 in Superior Court Action No. 656-435 entitled, "Raymond Hogan vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same are hereby approved.

Date of Incident: January 26, 1971

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 70-76

REQUEST TO RELEASE UNALLOTTED BALANCE

RESOLVED, that the Controller be, and he is hereby requested to release unallotted balance in the amount of $4,500 from Appropriation No. 5.161.113.001.000 (Extended Work Week-Civilian) to cover pending and future payrolls; and to transfer allotted funds in the amount of $65,000 from Appropriation No. 5.161.300.000.000 (Materials and Supplies) to Appropriation No. 5.315.391.000.000 (Purchaser's Fuel and Lubricants) for the purchase of gasoline and oil for police vehicles at the Hall of Justice Service Station.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 71-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $4,166 charging same to Appropriation No. 5.161. 890.050 to cover narcotic fund disbursements for the month of March, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 72-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $3,333 charging same to Appropriation No. 5.161. 890.000 to cover contingent fund disbursements for the month of March, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, February 21,1976 at 2400 hours, as follows:

Daily average for the week, sick	56
Daily average for the week, disabled	98
TOTAL	154

Daily percentage for the week, sick	2.96
Daily percentage for the week, disabled	5.44
TOTAL	8.40

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 73-76

POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer George Moissant, as follows:

SPECIFICATION NO. 1

Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.

SPECIFICATION NO. 2

Leaving his residence while on disability leave. (Violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Donald L. Taylor, Captain of Police, Commanding Officer of Taraval Police Station, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer George Moissant, Taraval Police Station, be, and the same is hereby set for Wednesday, March 10, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 74-76

POLICE OFFICER DENNIS C. O'BRIEN, INGLESIDE POLICE STATION

WHEREAS, charges of violating the Rules and

Procedures of the San Francisco Police Department were filed against Police Officer Dennis C. O'Brien, as follows:

SPECIFICATION NO.1

Failure to truthfully answer questions. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Leaving assigned patrol area without permission. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO.3

Failure to notify Communications of a vehicle stop. (Violation of Police Officers Manual Section P.V.A.)

SPECIFICATION NO. 4

Charged with committing a crime. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles A. Schuler, Captain of Police, Commanding Officer of Ingleside Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Dennis C. O'Brien, Ingleside Police Station, be, and the same is hereby set for Wednesday, March 3, 1976 at 6:00 pm., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 75-76

POLICE OFFICER STEPHEN J. VENTERS, INGLESIDE POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were

filed against Police Officer Stephen J. Venters, as follows:

SPECIFICATION NO. 1

Failure to truthfully answer questions, (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Leaving assigned patrol area without permission. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Failure to notify Communications of a vehicle stop. (Violation of Police Officers Manual Section P.V.A.)

SPECIFICATION NO. 4

Charged with committing a crime. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Charles A. Schuler, Captain of Police, Commanding Officer of Ingleside Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Stephen J. Venters, Ingleside Police Station, be, and the same is hereby set for Wednesday, March 3, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 76-76

POLICE OFFICER DANIEL L. O'BRIEN, BUREAU OF SPECIAL SERVICES

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were

filed against Police Officer Daniel L. O'Brien, as follows:

SPECIFICATION NO. 1

Intoxicated to the extent unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

by John A. Vannucci, Sergeant of Police, Commanding Officer of the Bureau of Special Services; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Daniel L. O'Brien, Bureau of Special Services, be, and the same is hereby set for Wednesday, March 10, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

HEARING OF POLICE OFFICER MICHAEL T. GALLAGHER, TRAFFIC BUREAU

The hearing of Police Officer Michael T. Gallagher, Traffic Bureau, was called, it having been set for this date. Police Officer Michael T. Gallagher was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Obey a Lawful Order of a Superior Officer (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Leaving an Assigned Detail Without Lawful Authority (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

and

WHEREAS, further charges of violating the Rules and Procedures of the San Francisco Police

Department were filed against Police Officer Michael T. Gallagher, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor while off duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Charles D. Korelec, Captain of Traffic.

Police Officer Michael T. Gallagher appeared in person and was represented by Inspector Joseph D. O'Sullivan, Narcotic Bureau.

Director of Personnel, Captain George Eimil, appeared as the Prosecutor for the Police Department.

The reading of Charges was waived.

On behalf of his client, Police Officer Michael T. Gallagher, Inspector Joseph D. O'Sullivan, entered a written plea of "guilty" to Specifications No. 1 and No. 2, violation of Sections 2.45 and 9.29 of the Rules and Procedures of the San Francisco Police Department; however, it was agreed upon the by Prosecuting Attorney, Captain George Eimil and the Defense Attorney, Inspector Joseph D. O'Sullivan, that paragraph "J" of Specification No. 2 be deleted. A written plea of "guilty" was also entered to Specification No. 1, violation of Section 2.125 of the second set of charges filed against Police Officer Michael T. Gallagher.

The following named witness appeared for the Prosecution, was sworn and testified:

Sergeant Gerald Doane
Police Academy

An opening statement was then made by Inspector Joseph O'Sullivan, Attorney for the Defense.

The following named witness appeared for the Defense, was sworn and testified:

Police Officer John F. Devine
Assistant to the Director of Personnel

A closing statement was then made by Inspector

Joseph D. O'Sullivan, Defense Attorney.

The Commission took the matter under submission, and then recessed from 1937 hours to 2037 hours, after which the following resolution was adopted:

RESOLUTION NO. 77-76

DECISION - HEARING OF POLICE OFFICER MICHAEL T. GALLAGHER, TRAFFIC BUREAU

WHEREAS, on January 26, 1976, Charles D. Korelec, Captain of Traffic, made and served charges filed against Police Officer Michael T. Gallagher, as follows:

SPECFICATION NO. 1

a) That on December 31, 1975, the accused was assigned to Fixed Post Traffic Duty at the intersection of Stockton and Jackson Streets;

b) That prior to going on duty, the accused was informed by a superior officer of his duty assignment;

c) That at or about 2230 hours, a superior officer discovered that the accused was not at his assignment;

d) That the superior officer waited at the intersection of Stockton and Jackson Streets until the accused returned and at that time informed the accused that he was not to leave his assignment without specific orders;

e) That a superior officer again visited the assignment of the accused, at or about 2250 hours, and discovered that the accused had again left his assignment;

f) Because of the above-stated conduct, the accused did violate Section 2.45 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"2.45. Shall strictly obey and promptly execute the lawful orders of his superior officers. In case of

conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict, should the latter not change his order it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order."

SPECIFICATION NO. 2

g) Paragraphs (a) through (f) are hereby incorporated as though fully set forth herein;

h) That a superior officer, after again discovering that the accused had left his assignment without lawful authority, notified the commanding officer specifically assigned the responsibility of efficient execution of the Fixed Post Details for New Year's Eve, and an immediate search was made to discover the whereabouts of the accused;

i) That a detail of motorcycle officers and sergeants was immediately ordered to discover the whereabouts of the accused, which search was not cancelled until it was discovered that the motorcycle assigned to the accused was parked in the Police Garage at the Hall of Justice;

*j) That the officers detailed to search for the accused had to be removed from other assignments which constituted a risk that citizens would be harmed because of the absence of the searching officers;

k) That the accused did not receive permission from any superior officer nor did the accused notify any superior officer that he would be absent from his assignment;

l) Because of the above-stated conduct, the accused did violate Section 9.29 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"9.29. Shall not leave his beat, detail or assignment, EXCEPT:

.1 Performance of police duty.

.2 Orders or permission of a superior.

.3 Absolute personal necessity."

*Deleted upon stipulation of both attorneys.

and

WHEREAS, on February 24, 1976, Charles D. Korelec, Captain of Traffic, made and served further charges against Police Officer Michael T. Gallagher, as follows:

SPECIFICAITON NO. 1

a) At or about 0315 hours on Friday, January 23, 1976, the accused was driving a vehicle, southbound on U.S. Highway 101 near the Holly Avenue off ramp in the City of San Carlos, California.

b) A member of the California Highway Patrol observed the accused driving his vehicle in an erratic manner.

c) The accused was stopped by the member of the Highway Patrol and given a field sobriety test, which test the accused failed.

d) Subsequently, the accused was given a blood alcohol test by means of an intoxilyzer. The results of this test indicated that the percent of alcohol was .14 in the first test and .15 in the second test.

e) Because of the above-stated conduct, the accused did violate Rule 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads, as follows:

"2.125 Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence

of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, February 25, 1976, and that on Wednesday, February 25, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Michael T. Gallagher, Traffic Bureau, as contained in Specifications No. 1 and No. 2, are sustained by the evidence presented at the hearing and that Police Officer Michael T. Gallagher violated Sections 2.45 and 9.29 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that further charges made and filed against Police Officer Michael T. Gallagher, Traffic Bureau, as contained in Specification No. 1 are sustained by the evidence presented at the hearing and that Police Officer Michael T. Gallagher violated Section 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Michael T. Gallagher, has violated Specification No. 1, Section 2.45, and Specification No. 2, Section 9.29 of the Rules and Procedures of the San Francisco Police Department, and that for said violation he shall be suspended for a period of thirty (30) calendar days without pay commencing 0001 hours, Wednesday, March 3, 1976 and terminating at 2400 hours, Thursday, April 1, 1976; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Michael T. Gallagher, has further violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department, and that for said violation he shall be placed on a one (1) year probationary status commencing Thursday, February 26, 1976 at 0001 hours, and terminating Thursday, February 25, 1977 at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Michael T. Gallagher, participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Devine, Assistant to the Director of Personnel, submit periodical reports

on the condition and progress being made by Police Officer Michael T. Gallagher with the Police Department's Alcoholic Abuse Program.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Recess taken in the hearing of Police Officer Michael T. Gallagher:

1937 hours to 2037 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

The Commission then adjourned its meeting.

SECRETARY

Minutes

DOCUMENTS

SAN FRANCISCO PUBLIC LIBRARY

3 MARCH 1976 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 3, 1976, at 1800 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 25, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF GAIN'S REPORT TO THE POLICE COMMISSION.

Chief of Police Charles R. Gain reported to the Commission that on Tuesday, March 2, 1976, at 1800 hours, he met with a group of parents who complained of police harassment and brutality against black teenagers in the Bernal Heights area. He stated that the charges raised by the group centered on an officer attached to the Ingleside Police Station, who allegedly made unjustified stops and searches and used racial slurs when dealing with black youths. He further stated that he advised the group that an investigation into the charges was currently being conducted and that he promised the group that he would give them a status report by Friday, March 5, 1976.

TRAFFIC MATTERS

Commission Gain recommended that for future meetings, the Officer from the Traffic Survey Department, not be required to be in attendance unless the Commissioners notified the Secretary of the Commission before said meeting that his attendance would be required. The other Commissioners concurred in this suggestion and thereupon instructed Chief of Police Charles R. Gain.

RE[illegible] THE [illegible] BUREAU - APPROVED

[illegible] recommendations of the Traffic [illegible] staff [illegible] for [illegible]

regulation of traffic on the public streets, be, and the same are hereby approved:

2224 SACRAMENTO STREET - WALDEN HOUSE, INC.

a) At 2224 Sacramento Street, revoke existing 20' yellow zone.

b) At 2224 Sacramento Street, install a 22' white zone, to extend from 30' - 52' east of the west property line.

c) Permission to install portable No Parking signs in conjunction with this white zone.

3698-20th STREET - F & G. GROCERY

a) At 3680-3698 -20th Street, revoke existing 94' green zone.

b) At 3698 - 20th Street, install a 34' yellow zone, to extend west of the east property line.

5286 - THIRD STREET - ROMEO'S FISH MARKET

a) At 5286 - Third Street, install a 36' green zone, to extend north from the south property line.

43 HIGHLAND AVENUE - MARLOWE HILLTOP LIQUOR

a) At approximately #43 Highland Avenue, install a 36' yellow zone, to extend west of the east property line.

b) At 3690 Mission Street, revoke existing 20' green zone.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 215 feet of

yellow and green zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins.

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Sergeant Joseph M. Devine, Bureau of Criminal Information, for service, effective February 1, 1976.

b) Sergeant John F. Jordan, Traffic Bureau, for service, effective February 1, 1976.

c) Sergeant Paul Kurpinsky, Richmond Police Station, for service, effective February 1, 1976.

d) Sergeant Leo J. McAllister, Pistol Range, for service, effective February 1, 1976.

e) Inspector Leo V. Osuna, Bureau of Inspectors, for service, effective February 1, 1976.

f) Police Officer William D. Abbey, Northern Police Station, for service, effective January 18, 1976.

g) Police Officer Homer E. Brothers, Bureau of Criminal Information, for service, effective January 16, 1976.

h) Police Officer George T. Cathrell, Central Police Station, for service, effective January 21, 1976.

i) Police Officer Frank A. Defanti, Central Police Station, for service, effective January 21, 1976.

j) Police Officer Rene Del Carlo, Southeast Police Station, for service, effective January 21, 1976.

k) Police Officer Harold Eliaser, Taraval Police Station, for service, effective January 21, 1976.

l) Police Officer Joseph C. Filzen, Bureau of Criminal Information, for service, effective January 14, 1976.

m) Police Officer Robert V. Gibbons, Traffic Bureau, for service, effective January 21, 1976.

n) Police Officer Robert B. Irving, City Prison, for service, effective January 21, 1976.

o) Police Officer Gonzalo Morales, Northern Police Station, for service, effective January 18, 1976.

p) Police Officer William J. Moran, Jr., City Prison, for service, effective February 8, 1976.

q) Police Officer John M. O'Connor, Park Police Station, for service, effective January 11, 1976.

r) Police Officer Charles Peterson, Park Police Station, for service, effective January 21, 1976.

s) Police Officer C. J. Pulizzano, Taraval Police Station, for service, effective January 21, 1976.

t) Police Officer Francis M. Shannon, Central Police Station, for service, effective January 21, 1976.

u) Police Officer Robert H. Wardlaw, Southeast Police Station, for service, effective January 21, 1976.

v) Police Officer Frank W. Watson, Richmond Police Station, for service, effective January 21, 1976.

w) Police Officer Manual P. Williams, Traffic Bureau, for service, effective January 21,

1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

THE CLAIM OF JOHN J. CASEY AND HIS ATTORNEYS ALLEN J. KENT, BARBAGELATA, CARMAZZI, ARNOLD & KENT IN THE AMOUNT OF $3,000 - CONTINUED FOR ONE WEEK.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins.

RESOLUTION NO. 78-76

AUTHORIZING ATTENDANCE OF INSPECTOR CLARENCE W. SMITH, BUREAU OF INSPECTORS, AT THE CALIFORNIA DEPARTMENT OF JUSTICE WESTERN REGIONAL ORGANIZED CRIME TRAINING INSTITUTE AT SACRAMENTO, CALIFORNIA, FROM MARCH 7, 1976 TO MARCH 12, 1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Clarence W. Smith, Bureau of Inspectors, be detailed to attend the California Department of Justice Western Regional Organized Crime Training Institute at Sacramento, California, from March 7, 1976 to March 12, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Clarence W. Smith, Bureau of Inspectors, in a sum not to exceed $200.00 in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 79-76

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR ALAN SONODA, JUVENILE BUREAU, AT THE JUVENILE OFFICERS ASSOCIATION CONFERENCE AT ANAHEIM, CALIFORNIA, ON MARCH 17, 1976 TO MARCH 19,1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Alan Sonoda, Juvenile Bureau, be detailed to attend the Juvenile

Officers Association Conference at Anaheim, California, on March 17, 1976 to March 19, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Alan Sonoda, Juvenile Bureau, in a sum not to exceed $150.00 in attending this conference will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO.80-76

AUTHORIZING ATTENDANCE OF INSPECTORS EUGENE M. MURPHY AND S. JOHN TOCHILIN, BUREAU OF INSPECTORS, AT THE ADVANCED TRAINING CENTER IN BRODERICK CALIFORNIA, FROM MARCH 14, 1976 TO MARCH 18, 1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspectors, Eugene M. Murphy and S. John Tochilin, Bureau of Inspectors, be detailed to attend a course in Protective Services Techniques at the Advanced Training Center, in Broderick, California, from March 14, 1976 to March 18, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspectors Eugene M. Murphy and S. John Tochilin, Bureau of Inspectors, in a sum not to exceed $150.00 each in attending this course, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 81-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT LLOYD F. CROSBIE, RICHMOND POLICE STATION, TO ATTEND A MIDDLE MANAGEMENT COURSE AT SAN JOSE STATE UNIVERSITY IN SAN JOSE, CALIFORNIA, FROM JANUARY 5, 1976 TO JANUARY 21, 1976, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Lloyd F. Crosbie, Richmond Police Station, received permission from the Police Commission to attend a Middle Management Course at San Jose State University in San Jose, California; and

WHEREAS, Lieutenant Lloyd F. Crosbie did

travel to San Jose, California, to attend said course from January 5, 1976 to January 21, 1976, inclusive; therefore be it

RESOLVED,that expenses in the amount of $378.60 incurred by Lieutenant Lloyd F. Crosbie, Richmond Police Station, while attending this course are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 82-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR TIMOTHY F. CASEY AND ASSISTANT INSPECTOR JOHN S. SULLY, BUREAU OF INSPECTORS, TO ATTEND THE SOUTHERN CALIFORNIA ROBBERY INVESTIGATORS ASSOCIATION STATE ROBBERY SEMINAR IN SAN JOSE, CALIFORNIA, ON FEBRUARY 11, 1976 AND FEBRUARY 12, 1976, IN SAN JOSE, CALIFORNIA

WHEREAS, on the recommendation of the Chief of Police, Inspector Timothy F. Casey and Assistant Inspector John S. Sully, Bureau of Inspectors, received permission from the Police Commission to attend the Southern California Robbery Investigators Association State Robbery Seminar in San Jose, California; and

WHEREAS, Inspector Timothy F. Casey and Assistant Inspector John S. Sully did travel to San Jose, California, to attend said Seminar on February 11, 1976 and February 12, 1976; therefore be it

RESOLVED, that expenses in the amount of $74.10 incurred by Inspector Timothy F. Casey, and $84.36 incurred by Assistant Inspector John S. Sully, Bureau of Inspectors, while attending this Seminar are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT.

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due

sickness and disability for the week ending, Saturday, February 28, 1976 at 2400 hours, as follows:

Daily average for the week, sick	71
Daily average for the week, disabled	98
TOTAL	169
Daily percentage for the week, sick	3.83
Daily percentage for the week, disabled	5.49
TOTAL	9.32

Disabled at start of week	99	Returned during the week	14
Started during the week	14	Disabled at the end of week	99

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

STPEHEN BRUCE BLEY

Stephen Bruce Bley, Attorney at Law, representing Police Officers William Kelly and Daniel O'Shea, appeared before the Police Commission and stated that the date of March 22, 1976 set for the hearings of Officers Kelly and O'Shea was too soon for him to be prepared and requested an extension of time to April 12, 1976 and possibly April 14, 1976.

The Police Commission granted the extension of time requested to April 12, 1976 and possibly April 14, 1976 in the hearings of Officers Kelly and O'Shea.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REQUEST OF MEMBERS OF MISSION POLICE STATION TO MEET WITH THE POLICE COMMISSION.

The request of members of the Mission Police Station to meet with the Police Commission under Rule 2.17 of the Rules and Procedures was discussed. Rule 2.17 states, "Whenever ten (10)or more members have just cause to believe that any matter affecting members of the department may be improved, and desire a hearing on same, they shall submit a written petition, subscribing same, to the Chief setting forth their reasons for such change. The Chief shall approve or disapprove and transmit said petition to the Board for consideration. Upon call of the Board, the members subscribing such petition shall have the right to freely address the Board on the subject." The Mission Station members exercising their rights under this section

would like to present to the Police Commission their findings, conclusions and recommendations in regards to Section 1.55 of the New Rules and Procedures, relating to the position of the Director of the Police Community Relations Unit which places him ninth (9th) in line in the chain of command to become Acting Chief of Police. Commissioner Siggins acknowledged this request and stated that a public hearing would be held on this issue on Wednesday, March 10, 1976. He also invited the Police Officers' Association who had requested a meet and confer session on this same issue to attend the same meeting and meet and confer in public on this matter. Sergeant Gerald Crowley, President of the San Francisco Police Officers' Association who was present stated that he wanted a meet and confer in private. He was told by Commissioner Ciani that there was some question as to the legality of the Association and the Commission meeting in private and that it may be a direct violation of the Brown Act. Sergeant Michael Hebel, one of the Association's Attorney's, stated that he thought that there was an exception to the Brown Act which would permit meet and confer sessions between the Association and the Commission in private and he would bring case law citations to verify this position. Commissioner Siggins then stated that in the meantime the Police Commission would hold a public hearing on the Mission Station members issue at the next meeting and the Police Officers' Association was invited to attend, if they so desired, and participate in the proceedings.

RESOLUTION NO. 83-76

HEARING OF POLICE OFFICER DENNIS C. O'BRIEN, INGLESIDE POLICE STATION

WHEREAS, the hearing of Police Officer Dennis C. O'Brien, Ingleside Police Station, was called, it having been set for this date; and

WHEREAS, it was recommended by Acting Chief of Inspectors, Mortimer F. McInerney and concurred with by Mr. William J. Murphy, Defense Attorney, that a further analysis by the Department of the charges placed against Police Officer Dennis C. O'Brien, Ingleside Police Station, was in order, and that said analysis would determine the possible deletion of some of the charges; and on this basis it was requested that the hearing of Police Officer Dennis C. O'Brien be continued to Wednesday, March 24, 1976; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Dennis C. O'Brien is set for Wednesday, March 24,1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 84-76

HEARING OF POLICE OFFICER STEPHEN J. VENTERS, INGLESIDE POLICE STATION

WHEREAS, the hearing of Police Officer Stephen J. Venters, Ingleside Police Station, was called, it having been set for this date; and

WHEREAS, it was recommended by Acting Chief of Inspectors, Mortimer F. McInerney and concurred with by Mr. William J. Murphy, Defense Attorney, that a furthur analysis by the Department of the charges placed against Police Officer Stephen J.Venters, Ingleside Police Station, was in order and that said analysis would determine the possible deletion of some of the charges; and on this basis it was requested that the hearing of Police Officer Stephen J. Venters be continued to Wednesday, March 24, 1976; therefore be it

RESOLVED, that the date of the hearing of the disciplinary charges filed against Police Officer Stephen J. Venters is set for Wednesday, March 24, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAR 22 1976
SAN FRANCISCO PUBLIC LIBRARY

10 MARCH 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 10, 1976 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 3, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Hall stated that he concurred with the approval of the minutes of the previous meeting, but only with the understanding that they contained unfinished business. He then made reference to pages 127 and 128 REQUEST OF MEMBERS OF MISSION POLICE STATION TO MEET WITH THE POLICE COMMISSION.. Contained in this section is a statement by Sergeant Michael Hebel, one of the Police Officers' Association Attorney's who stated that he would bring in case law citations relating to the Brown Act which provide for exceptions and allows private Meet and Confer Sessions between the San Francisco Police Officers' Association and the Police Commission.

Commissioner Siggins then stated that the Commission would bring this matter up later today.

CHIEF GAIN'S REPORT TO THE POLICE COMMISSION

Chief of Police Charles R. Gain, stated to the Commission that he had several items that he wanted to report on. One of the items was a meeting that he and the staff had with members of the White Panther Party. The meeting was arranged through Mr. Jessie Martinez of the Human Rights Commission. Mr. Amitai Schwartz of The Northern Police Practices Project was also there. Topics of discussion were Complaint of Police Department written guidelines for proper procedures regarding witnesses to Police Incidents that occur on the street, the Police Department's statement of policy regarding the use of Penal Code Section 836 which authorizes the Police Department to make arrest under various circumstances. Thirdly, they would be appearing before the Commission in the future to request an investigation into an incident which occurred last year. The Chief stated that the meeting was both amicable and beneficial. He also stated that the he agreed with the panthers regarding the need for proper procedural guidelines.in dealing with witnesses to Police Incidents that occur on the street. He stated that the

panthers submitted to him a proposed re-wording of those guidelines which he would study and do some thinking about our present regulations and subsequently get together with them and confer on a new draft which ultimately would be presented to the Commission. He then stated that he advised the Panthers that the matter of Penal Code Section 836 would be held in abeyance because of a Supreme Court decision which must be complied with by March 23rd.

Commissioner Siggins: "Chief, you say the Panthers made certain requests that involved the Police Department?"

The Chief stated that the Panthers had stated that they would in the future, appear before the Police Commission and request that an investigation take place in certain aspects of an incident which occurred last year.

He also stated that he had related that information to the Commission as one aspect of the discussion at the meeting with the Panthers.

Commissioner Siggins: "It is my understanding that the White Panthers has litigation pending on this incident in general court. The City of San Francisco is a defendant and I am not sure if the Police Commission is and that matter will be represented by Council by the City Attorney's Office."

Lieutenant Richard Trueb of the Police Department's Legal Office then verified that there is a suit by the Panther Party and the City and the Police Commission are defendants.

Sergeant Gerald Crowley, President of the San Francisco Police Officers' Association then stated that any meeting with the Panthers on their proposed guidelines should include representatives of the Police also.

The Chief then read the present guidelines to the Commission and stated that he did think that it needed better definition. That, that was all it was about. They, (the Panthers) submitted a proposed revision so we are entertaining theirs and we are looking at our own. And as far as representing the interest of police officers, the Chief of Police has a responsibility to do that and in fact does it. We are not going to do anything that would reflect adversely upon the safety of police officers or the preservation of a crime scene or anything of that nature. I think that should be understood. I feel, in fact, that it is my obligation to meet with whomever, within the Community, that wants to meet with the Chief of Police that want to raise an issue about our practices and our policies and our procedures and to work out if we can, with whomever in the Community, satisfactory regulations and for me to turn them to recommend explicit revisions or new regulations as they are needed. I emphasize again the concerns of policemen and their safety will always be foremost in our minds."

The next item the Chief commented upon was the increase in the crime rate. He stated that the increase of 47% was fallacious. "From the standpoint that we had in 1975 over 1974 an 18% increase, it was obvious then that in January and February of last year and so on we had a lower quantity of crimes that kept increasing during the year so we should better compare what happened in 1975 compared to 1974, 18% increase and then the continuation of that kind of experience. Now what we find from the first two months of this year, at the end of February, is about a 35% increase. So in a word our high quantity of crime is continuing. I would like to at this point if I may to inform you of what the Crimes Specific Task Force is accomplishing according to the preliminary evaluation that we have at this time."

He then called upon Captain Bruneman, the Commanding Officer of the Task Force. Captain Bruneman then submitted to the Commissioners statistics on accomplishments of the Task Force from the first of February up to the present time. The total of arrest including Misdemeanor and Felony going down to hours in foot patrol and finally to vehicle mileage.

Commissioner Hall stated that he at this time, he would like Chief Gain to comment on an article which appeared in the San Francisco Examiner on Sunday, March 7, 1976, Open City, Prostitutes Flock to San Francisco.

The Chief stated that what it amounts to is that we have had a substantial increase in streetwalkers and he is going to assign additional officers to the Vice Bureau to combat this increase. He further stated that we can not afford to have San Francisco become an open city.

Commissioner Ciani called for a report from the Chief on the number of complaints received in this matter.

The Chief then commented on his proposed interim reorganization plan. He stated that several plans, including his, were available for inspection in the Planning and Research Bureau and what he wanted was to get as much input as he can from personnel within the Police Department and so today a communication was sent to all Stations and Bureaus inviting them to go to Planning and Research and look at the charts and give their opinions of the concept as it now stands. Hopefully, next week or the week after, after getting sufficient imput, he would be recommending a reorganization to the Commission. He then requested permission to have Captain William J. O'Brien report on the status of the Police Department's Budget, a Supplemental Budget estimate and as to where we currently are in the Budget process.

Captain O'Brien stated that the purpose of the Supplemental Budget was to catch all the loose ends, that may have been forgotten when the regular budget was submitted. The Supplemental Budget must be submitted to the Mayor's Office by Monday, March 15, 1976. The amount is $65,612.00.

The Commission then adopted the following resolution:

RESOLUTION NO. 88-76

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1976/77 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1976/77, as submitted by Chief of Police Charles R. Gain in the following amount be, and the same is hereby approved:

Supplemental Budget - $65,612.00

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Crown Prince Arcadia was given permission by the President of the Commission to speak. Mr. Arcadia then imparted what he believed to be the solution to the current vice problems of Gambling, Prostitution and Narcotics.

Mr. Dennis L. Kent requested to address the Commission and was also given permission to speak. He then made a complaint against Police Officers assigned to the Chambers of the Board of Supervisors meetings. He stated that these officers were unfairly permitting and denying access to said chambers of the Board to certain people.

Commissioner Ciani requested the Chief to take care of this matter as if it was the filing of an Official Complaint and that she felt it should receive immediate attention.

Commissioner Ciani then brought up the subject of a proposed supplemental budget request for the purpose of engaging outside labor council and also a labor negotiator to act as a designated representative of the Commission. She then stated that she would like to move that the Commission direct the Chief to prepare an appropriate supplemental budget request, the amount to be subject to further consideration or recommendation by the Chief for both of these purposes. After some discussion, the motion was passed and unanimously approved by the Commission.

DOCUMENTS
MAR 2 2 1975
SAN FRANCISCO
PUBLIC LIBRARY

SERGEANT GERALD CROWLEY, PRESIDENT OF THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

Sergeant Crowley was given permission to speak on the subject of a general order issued this date by the Chief of Police regarding a provision of the recently passed Charter Amendment, Proposition O, which requires all personnel to sign an oath not to strike. He stated that this subject was currently being litigated and asks the Department to hold off its implementation until the matter is adjudicated. He stated that under a section of the California State Constitution, the Oath is unconstitutional. He stated that within a very short time, a period of a week, he thinks they,(San Francisco Police Officers' Association) can establish that.

Chief Gain stated to the Commission that he was requesting that they let the order stand as it is and that he would confer with the City Attorney tomorrow and ask him whether we should go ahead and keep the order in effect or hold it in abeyance until at such time in the future we should re-issue it. "I prefer to be guided by the City Attorney's opinion; it is the City Attorney that has given us advice about the issuance of the order."

Commissioner Murphy stated that she thought that was appropriate but she also thought that because of the very hard feelings that have been generated by many different things, it would be appropriate at least to hold it for a few days until we get an opinion. After a good deal of discussion in which it was revealed that it would take at least two weeks to implement the order any way.
Commissioner Murphy then moved to grant Sergeant Crowley a week's delay in the distribution of the Department's General Order requiring members to take the Oath. The motion was seconded by Commissioner Ciani but it did not pass. Commissioner Murphy submitted the only Aye vote, all other Commissioners voted Nay.

Mr. Roger Boschetti, a spectator, asked permission to speak, which was granted, and he stated that he felt Sergeant Crowley should get the time he was asking for regarding the implementation of this order.

Commissioner Gallegos then moved that the matter be dealt with following the Chief's conference with the City Attorney and that he be guided by the specific recommendation or the specific advise he gets regarding the act of carrying out the Oath. Commissioner Hall seconded this motion and it was then unanimously passed.

AS RECOMMENDED BY THE POLICE COMMISSION THE CLAIM OF JOHN J. CASEY AND HIS ATTORNEYS ALLEN J. KENT, BARBAGELATA, CARMAZZI, ARNOLD & KENT IN THE AMOUNT OF

$3,000.00 - CONTINUED FROM THE MEETING OF MARCH 3, 1976.

Commissioner Siggins stated this item was carried over from last week so that he could confer with the Deputy City Attorney who made this recommendation. After conferring with him and learning that this recommendation for settlement was also made by the Trier of Fact, he was now (Commissioner Siggins) recommending to the Commission that this item be considered for adoption:

RESOLUTION NO. 85-76

JOHN J. CASEY AND HIS ATTORNEYS ALLEN J. KENT, BARBAGELATA, CARMAZZI, ARNOLD & KENT.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of John J. Casey and Rita M. Casey, in the sum of $3,000 in Superior Court Action No. 648-438 entitled "John J. Casey and Rita M. Casey, his wife, vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: Spetember 25, 1971

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, March 6, 1976 at 2400 hours, as follows:

Daily average for the week, sick	63	71
Daily average for the week disabled	102	98
TOTALS	165	169
Daily percentage for the week, sick	3.42	3.83
Daily percentage for the week, disabled	5.67	5.49
TOTALS	9.09	9.32

Disabled at start of week	99
Started during the week	12
Returned during the week	7
Disabled at the end of week	104
Net Gain or Loss	+5

Sick and Disabled for Week ending Saturday, February 7, 1976 at 2400 hours:		Sick and Disabled for week ending Saturday, March 6, 1976 at 2400 hours:	
Daily average for the week sick	57	Daily average for the week sick	63
Daily average for the week disabled	94	Daily average for the week disabled	102
TOTALS	151		165
Daily percentage for the week sick	2.94	Daily percentage for the week disabled	3.42
Daily percentage for the week disabled	5.05	Daily percentage for the week disabled	5.67
TOTALS	7.99		9.09

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 87-76

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $10,000 from Appropriation No. 5.161.959.000.000 (Peace Officers' Training Fund) to Appropriation No. 5.161.959.111.000 (Peace Officers' Training Fund - Extra Duty) to cover pending and future payrolls.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 89-76

HEARING OF POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION

WHEREAS, the hearing of Police Officer George Moissant, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George Engler, Attorney for Police Officer George Moissant, appeared before the Police Commission and stated that Officer Moissant was currently

undergoing psychiatric treatment, and his doctor feels that a hearing at this time would be most harmful to the officer and requested a continuance in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer George Moissant is set for Wednesday, April 28, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

MEMBERS OF THE MISSION POLICE STATION SUBMITTED A REQUEST TO THE POLICE COMMISSION ASKING THE COMMISSION TO SEEK A CITY ATTORNEY'S OPINION IN REGARD TO RULE 1.55 OF THE NEW RULES AND PROCEDURES PERTAINING TO THE CHAIN OF COMMAND OF THE SAN FRANCISCO POLICE DEPARTMENT -

Public Hearing to be held in two (2) weeks on this matter.

The Director of the Police Community Relations Unit, Rodney Williams, requested this item be put over until at such time after which the public has been notified and given an opportunity to contribute some input into the matter.

Commissioner Siggins stated that members of the Mission Police Station had contacted him and stated that they did not want a public hearing on this issue, they only wanted a City Attorney's opinion based on questions they had prepared and submitted to the Commission to subsequently forward to the City Attorney. Commissioner Siggins then asked the Chief for his comment regarding the New Rule 1.55 relating to Director William's position in the Chain of Command.

Chief of Police Charles R. Gain stated that he is not in favor of that Rule and in the reorganization plan that he would be submitting to the Commission would clearly show some line positions and staff positions. "The line positions would be the Chief of Police, the Deputy Chief and then down so that if the Chief of Police is not available, Deputys will designate who the person will be acting as Chief. Line positions. The position of Director of Police Community Relations as with other positions will be a Staff Position capacity, and they will not be in the Hierarchy or the Chain of Command to become acting Chief of Police by virtue of the function of their particular units.

Commissioner Siggins asked Sergeant Hebel if he would

be satisfied with the Chief's position on this matter and not request the Police Commission continue to seek a City Attorney's opinion.

Sergeant Hebel stated that there were still some things the Chief said about the position that he is violative of the City Charter and would continue in his quest for the Commission to seek the above-stated opinion from the City Attorney.

Chief Gain then stated that he would submit by next Wednesday, a recommendation to the Commission in regard to this Rule 1.55 that may resolve the problem. He later stated that he would need two weeks to submit this to the Commission.

Mr. Joe Hall from the NAACP stated that there is a lot of discussion on this issue and if there is going to be discussion on it, he has some things he would like to say. However, if it is going to be put over then he would be prepared to return with additional supporters at that time.

Commissioner Siggins stated that for clarification purposes, the topic of discussion at the next meeting on this issue would be Director Williams' position in the Chain of Command. The Commissioners then voted to put the matter over two weeks, to March 24, 1976.

OLD BUSINESS

At the last Police Commission meeting Sergeant Hebel stated that he would bring in a case law citation regarding exceptions to the Brown Act that permitted meet and confer sessions between the Police Commission and the San Francisco Police Officers' Association.

Commissioner Hall called for the discussion on the matter and Commissioner Ciani stated that she discussed this by telephone with Sergeant Hebel and after examining the authorities, both agreed that the Brown Act does not permit the Police Commission to meet as a quorum in private meet and confer sessions with the San Francisco Police Officers' Association.

Sergeant Hebel stated that he concurred that they examined the Attorney General's Opinion and that he stated that the last three sentences of that opinion which he agreed and perhaps had some difficulties with, but those last three sentences as he understood them phrased perhaps the manner in which meet and confer sessions had occurred between the Police Commission and the Police Officers' Association. He further stated that he and

Commissioner Ciani discussed the problem of having less than a quorum and that difficulty.

Commissioner Ciani stated that she believed that opinion decided the issue of whether the Commission could designate a quorum to meet and confer. "I think we resolved that, did we not?"

Sergeant Hebel then stated that he did not think that they did. "I think that it was asked that if the Commission as a whole without designating a representative could meet in Executive Session with themselves to discuss what position to take. I think the Attorney General said no, they couldn't, but I don't think the Attorney General's Opinion specifically went to the issue of whether or not the Commission could designate itself, meaning the entire five members, as its designated representatives then meet with an organized labor union or labor association.

Commissioner Ciani stated that she though an interpretation such as that would be an attempt to circumvent the meaning of the Brown Act.

Commissioner Siggins then asked Sergeant Hebel if he had any other references in regard to the Brown Act on Meeting and Conferring in private.

Sergeant Hebel replied in the negative.

HEARING OF POLICE OFFICER DANIEL L. O'BRIEN, BUREAU OF SPECIAL SERVICES.

The hearing of Police Officer Daniel L. O'Brien, Bureau of Special Services, was called, it having been set for this date. Police Officer Daniel L.O'Brien was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Intoxicated to the extent unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by John A. Vannucci, Sergeant of Police, Commanding Officer of the Bureau of Special Services.

Police Officer Daniel L. o'Brien appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Director of Personnel, Captain George Eimil, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Daniel L. O'Brien entered a written plea of "not guilty"; however, that was withdrawn by his attorney, Mr. Stephen Bruce Bley, who during the hearing entered a plea of "nolo contendere" to Specification No. 1.

The following named witness appeared for the Prosecution, was sworn and testified:

Sergeant Willaim C. Groswird
Police Academy

The following named witness appeared for the Defense,was sworn and testified:

Police Officer John Devine
Special Assistant to the Director
of Personnel

A closing statement was then presented by Mr. Stephen Bruce Bley, Attorney at Law.

The Commission took the matter under submission and then recessed from 2117 hours to 2148 hours after which the following resolution was adopted:

RESOLUTION NO. 90-76

DECISION - HEARING OF POLICE OFFICER DANIEL L. O'BRIEN

WHEREAS, on February 25, 1976, John A. Vanucci, Sergeant of Police, Commanding Officer of the Bureau of Special Services, made and served charges against Police Officer Daniel L' O'Brien, as follows:

SPECIFICATION NO. 1

a) That on 7 January 1976 at or about 0300 hours, the accused was operating his private vehicle in the vicinity of Ellis and Leavenworth Streets;

b) The activities of the accused came to the attention of police officers on patrol in said areas;

c) Because of the activities of the accused, a breathalyzer examination was performed;

d) The results of the breathalyzer tests indicate that percent blood alcohol in Test No. 1 was .30 and percent blood alcohol in Test No. 2 was .23.

e) Because of the above-stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco, on Wednesday, March 10, 1976, and that on Wednesday, March 10,1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charge made and filed against Police Officer Daniel L. O'Brien, as contained in Specification No. 1 is sustained by the evidence presented at the hearing and that Police Officer Daniel L. O'Brien did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Daniel L. O'Brien be suspended for ten (10) working days without pay commencing, Wednesday, March 17,1976 at 0001 hours, and terminating on Tuesday, March 30, 1976 at 2400 hours, and that he be placed on one (1) year probationary status commencing Thursday, March 11, 1976 at 0001 hours, and terminating Thursday, March 10, 1977, at 2400 hours.

RESOLVED, that it is the order of the Police Commission that Police Officer Daniel L. O'Brien participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Devine, Special Assistant to the Director of Personnel, report to the Police Commission periodically on the condition and progress being made by Police Officer Daniel L. O'Brien with the Police Department's Alcoholic Abuse Program.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Recess taken in the hearing of Police Officer Daniel L. O'Brien:

2117 hours to 2148 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RESOLUTION NO. 86-76

ASSISTANT INSPECTOR THOMAS M. MAZZUCCO

WHEREAS, an attached report from Captain George Eimil, Director of Personnel, describes a brief history relative to the emotional behavior and conduct of Assistant Inspector Thomas Mazzucco; and

WHEREAS, also, contained in this report is a recommendation from Dr. Norman Steiner, the Police Surgeon, and Drs. Barsocchini and Watkins, both personal physicians of Inspector Mazzucco, stating that under no conditions should Inspector Mazzucco be allowed to continue in his employment as a police officer; and

WHEREAS, Assistant Inspector Thomas M. Mazzucco has served a total of twelve years in the department and is eligible to receive at least one-third of his salary as a pension with the opportunity of claiming that his disability is industrial in nature and possibly obtaining a pension set by the Workmen's Retirement Board equal to 50% to 90% of his salary; and

WHEREAS, under the provisions of Section 8.547 of the Charter of the City and County of San Francisco, the Police Commission is authorized to petition the Retirement Board to retire members who are mentally and physically unfit; therefore be it

RESOLVED, that in compliance with the provisions of Section 8.547 of the Charter of the City and County of San Francisco, the Police Commission does hereby recommend to the Employees' Retirement System that Assistant Inspector Thomas M. Mazzucco be retired from the San Francisco Police Department.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

Minutes

17 MARCH 1976 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 17, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

DOCUMENTS

Commissioner Siggins presiding.

SAN FRANCISCO PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the meeting of March 10, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that Section 6.57 of the Police Department's Policy Manual enunciates a policy on light duty. Today I attended a meeting for several hours with the Retirement Board because they were concerned about the policy position of the Police Commission on light duty. If I may I will read this provision to you and speak to it and then make a request. 'The present policy states that it is the policy of this Department to require that the physical condition of all officers shall be of such a nature as to permit them to perform full police duties. In those cases where officers, because of injury or sickness, cannot return to full police duties within one year of said disability, it is the policy of the Department to request the Retirement Board to retire said officers. Those officers who can return to full duty within said year will be given an opportunity to return to those positions that allow them to serve the Department consistent with their physical disability. So that, we now have in the Police Department according to a staff report to me, approximately fifty or sixty officers who have a chronic disability and if this policy was to be enforced immediately then we would loose that number of officers. Now in regard to this policy, it is in the Policy Manual yet to be issued, therefore it is not effective until the Policy Manual is issued. In talking to the Retirement Board today they asked the position of the Police Commission and I stated to them that I thought the

Police Commission had not yet really analyzed this particular policy or perhaps had not read it in detail at all. And I said that I would request the Commission to Calendar this for discussion at the meeting of one week hence or two weeks depending on your pleasure so that this Police Commission could entertain if they want to reaffirm this policy statement or to take a different position. And the implications of course were quite significant. It says, in effect, if the member has a permament disability then he must after one year but no longer than that... and so at the meeting which I request for you to hold on this policy statement next week or the week after you can just discuss the whole policy issue, retire. I will give to you a position paper as regard to fifty or sixty officers now on permanent light duty and we can entertain what type of a policy we should take in regard to those officers. It is my understanding from staff that the previous Commission decided not to implement this policy and not to do anything in regard to the fifty or sixty officers because of the high vacancy factor that we have in the Police Department. They wanted to keep them until at such time, until the vacancies came down. So at this time with that information unless you have any questions, I request it be calendared by the Commission for discussion so that I could go back before the Retirement Board at a future date and tell them the policy of the Commission. That is whether it is going to be changed or if it stays as it is. In regard to the fifty or sixty officers now on disability, my feeling is that we should not so implement the policy so that suddenly all 50 or 60 have to retire, but rather should look at each case and take into consideration the benefits to these officers by them staying on duty until at such time as their retirement benefits accrue to them in the best manner. Also, considering of course the effect upon the Department in that regard. So all of these things I suggest that we should discuss at a future meeting.

Commissioner Siggins stated that the Commission would calendar the matter for it's March 31st, meeting.

The Chief then stated that the other subject that he wanted to comment on was the problem of prostitution. "I related to you last week that given the problem as perceived by police personnel and staff based upon complaints, I assigned five uniformed police men basically to the area of Union Square in order to alleviate the problem. The assignment of this personnel has resulted in alleviating the problem where we do not have the numbers that were reported before standing around.

Commissioner Siggins thanked the Chief for his report and stated that last week Commissioner Hall brought up the Newspaper Article regarding the prostitution problem and the Chief stated that he had received numerous complaints and at his (Commissioner Siggins) request he had had them distributed to other

members of the Commission. He further stated that in going over them he could see that Mr. Robert Wilhelm, the General Manager of the St. Francis Hotel had made many complaints to the Department and he (Commissioner Siggins) took it upon himself to invite Mr. Wilhelm to the meeting tonight to discuss those complaints.

Mr. Robert Wilhelm stated that he was not only speaking in behalf of the St. Francis but of all of the hotels in San Francisco. He stated that the St. Francis alone has over 300,000 guests a year from all over the world. He further stated that they have their own security force within the hotel and could handle their own internal problems provided they continue to have the support of Chief Gain and his Department to handle the external problems. He then stated that "we have been monitoring with our own security staff the activities at night. We take readings during the night by sending our people out on the sidewalk in front of the hotel and actually counting the activity and the number of prostitutes both male and female. We have seen since the assignment of these uniformed officers a modest decline in the number of these prostitutes. We would hardily encourage the Commission and the Chief to continue the activities that are underway now and hopefully this could be extended to the District Attorney's Office to get some prosecution going which I think would deter this.

Mr. Irv Baldwin, Hotel Employers Association, who appeared with Mr. Wilhelm, stated that he was concerned about the fact that this was a kind of an announced two week trial period. "We feel very strongly that if we are going to go on a basis of uniform patrol who are not allowed to sweep or to arrest then we are going to have to continue to hope that those uniform not none uniform will suffice because that is the same thing that w had on the Cable Car line. The girl who doesn't see the uniform policeman or the homosexual prostitute who doesn't see the uniform policeman, he or she will go ahead and solicit. We don't want that, we want to stop the soliciting and get them out of town." [illegible] out

Chief Gain called upon Sergeant John Vanucci, Bureau of Special Services, to comment. Sergeant Vanucci stated that from what he had received from the readings the trend has been down. "I feel that there is still moreprostitutes in the area than there were say three months ago. But the crimes have certainly improved from what we get in the Bureau of Special Services since the uniform personnel have been added to that area.

The Commissioners thanked Mr. Wilhelm and Mr. Baldwin for appearing at the meeting and making their presentations.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

221 - 11th STREET - GRACE COMPANY

a) At 221 - 11th Street, revoke existing 15' green zone.

b) At 221 - 11th Street, install a 15' yellow zone, to extend between driveways.

498 PACIFIC AVENUE - BARBARY COAST RESTAURANT

a) At 490 Pacific Avenue, revoke existing 30' white zone.

b) At 498 Pacific Avenue, install a 46' white zone, to extend from 14' - 60' east of Montgomery Street.

c) Remove parking meters PAC-436 & PAC-438.

d) Permission to install portable No Parking signs in conjunction with this white zone.

1001 GRANT AVENUE - BANK OF TRADE

a) At 1001 Grant Avenue, install a 60' green zone, to extend from 18' - 78' north of Jackson Street.

b) Remove parking meters GRANT-1003 & GRANT-1005.

c) At 1001 Grant Avenue, revoke existing 20' white zone.

450- SIXTH STREET - SOUTH OF MARKET OUTPATIENT SERVICES

a) At 450 - Sixth Street, install a 30' white zone, to extend north of the south property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

399 STEINER STREET HOTEL-APARTMENT COMPLEX

a) At 399 Steiner Street, install a 22' white zone, to extend from 50' - 72' south of Page Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 229 feet of green, white and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioners Gallegos

RETIREMENT:

Communication was received from the Retirement Board officially notifying the Police Commission of the service retirement of Director of Traffic, Edward B.Cummins, Jr., effective January 7, 1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 91-76

BARBARA JOAN RANDOLPH

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Barbara Joan Randolph against the City and County of San Francisco in the sum of $42.90 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 92-76

FRANK O. BASCUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank O. Bascus against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 12, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 93-76

WALTER H. BAXTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Walter H. Baxter against the City and County of San Francisco in the sum of $125.44 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 2, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 94-76

DONALD E & MARY KEOWN

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Donald E. and Mary Keown against the City and County of San Francisco in the sum of $349.61 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 17, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 95-76

THERESA ANN BYRNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Theresa Ann Byrne against the City and County of San Francisco in the sum of $103.84 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 28, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 96-76

WILLARD F. CONGER, M.D.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Willard F. Conger, M.D., against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 97-76

JOAN C. COOPER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joan C. Cooper against the City and County of San Francisco in the sum of $30.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 23, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 98-76

MARSHALL CUPP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marshall Cupp against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 5, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioners Gallegos

RESOLUTION NO. 99-76

KAREN FUDEMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen Fudeman against the City and County of San Francisco in the sum of $23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 24, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 100-76

ROBERTO U. GO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roberto U. Go against the City and County of San Francisco in the sum of $134.71 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 24, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 101-76

ELWYN J. HERBERT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elwyn J. Herbert against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be,

and the same is hereby approved.

Date of Incident: December 9, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 102-76

JOANNE KOPELMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joanne Kopelman against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 19, 1975.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 103-76

GEORGE M.LENCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George M. Lench against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 4, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 104-76

GARY RICARDO MEROFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Ricardo Meroff against the City and County of San Francisco in the sum of $20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 25, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 105-76

LUIS D. MUNOZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luis D. Munoz against the City and County of San Francisco in the sum of $80.19 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 4, 1975

AYES; Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 106-76

AKIRA "BILL" NAKATANI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Akira "Bill" Nakatani against the City and County of San Francisco in the sum of $320.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 20, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 107-76

WILEY PHILLIPS, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wiley Phillips, Jr., against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1975.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 108-76

CHRISTINE M. SALACH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine M. Salach against the City and County of San Francisco

in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 3 to 13, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 109-76

WAYNE A.SAMUEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wayne A. Samuel against the City and County of San Francisco in the sum of $144.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 28, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 110-76

RONNY LEE STRUWE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronny Lee Struwe against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 2, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 111-76

LILY YEONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lily Yeong against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 30, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 112-76

GERALD AND CARRIE WON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald and Carrie Won against the City and County of San Francisco in the sum of $92.78 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 20, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 113-76

HELEN E. ZEMANSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen E. Zemansky against the City and County of San Francisco in the sum of $242.42 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December9, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 114-76

JOSEPH JAY ZARTUN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Jay Zartun against the City and County of San Francisco in the sum of $30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 1, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 115-76

ALMA JEAN BELLINA AND HER ATTORNY MORTON L. SILVERS

RESOLVED, that the recommendation of the

City Attorney for settlement of litigation of Alma Jean Bellina in the sum of $4,000 in Superior Court Action No. 671-129 entitled "Alma Jean Bellina vs. City and County of San Francisco" as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 19, 1973

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 116-76

PETER M. HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter M. Hernandez against the City and County of San Francisco in the sum of $705.82 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 8, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 117-76

KAREN ANN STEWART

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen Ann Stewart in Small Claims Court Action No. 319-367, in the sum of $338.70 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 15, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 118-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $8,653 from the following appropriation number in the

amount shown:

Appropriation No. 5.161.110.001.000
Permanent Salaries-
Civilian $8,653

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 5.161.110.001.000
Permanent Salaries-
Civilian Fringe Benefits $6,904

Appropriation No. 5.161.860.000.000
Retirement 1,121
Appropriation No. 5.161.862.000.000
Social Security 404
Appropriation No. 5.161.865.000.000
H.S.S. 224
$8,653

to provide funds for immediate filling of unfunded telephone positions.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 119-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he os hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $4,455 from the following appropriation number in the amount shown:

Appropriation No. 5.161.110.001.000
Permanent Salaries-
Civilian $4,455

and credit it to the following appropriation in the amount indicated:

Appropriation No. 5.161.200.000.000
Contractual Services $4,455

to provide funds to employ services of one (1) Labor Attorney and one (1) Negotiator.

Commissioner Ciani recommended passing of this item providing that the first paragraph in the justification for such services be deleted.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called fo hearing, it having been advertised

in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferee did not appear in person and was not represented by counsel. The estate of Lloyd Long (Deceased) presented to the Police Commission with a Consent to Transfer from the Office of the State Controller, Inheritance and Gift Tax Division, dated February 23, 1976, and signed by William Seeley, Tax Attorney for Kenneth Cory, State Controller, whereby Jitney Bus Permit Number 15569 is transferred to Mrs. Long. The Commission approved the transfer of whatever right, title or interest to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Lloyd Long (Deceased) 1420 Charlston Road Mountain View, Calif.	Mrs. Lois E. Long 128 Chandler Street Vacaville, Calif.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Resolution amending Rule 3.06 of the Rules and Procedures considered for adoption at next weeks meeting.

Captain William O'Brien, Department Secretary, stated that there has been a court case (Skelly Decision) that says when a City Employee has been suspended there are certain things that the Suspending Officer must do. He further stated that we do all that is required with the exception of the following which would be the amended portion of this rule:

> "A MEMBER SUSPENDED PURSUANT TO THIS SECTION SHALL HAVE THE RIGHT TO RESPOND EITHER ORALLY OR IN WRITING TO THE CHIEF OF POLICE PRIOR TO THE EFFECTIVE DATE OF THE SUSPENSION."

The Commission then agreed to calendar it for next week's meeting to be considered for final adoption.

RESOLUTION NO. 120-76

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CHINATOWN RICKSHAW PERMIT) HEARING TO REVOKE - CONTINUED TO MAY 26, 1976.

WHEREAS, there was granted to Edmund L. Jung on August 10, 1964, a permit and/or license for the operation of three (3) Chinatown Rickshaws; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Edmund L. Jung was not operating his Chinatown Rickshaw, and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Mr. Edmund L. Jung appeared before the Police Commission on Wendesday, July 30, 1975, Wendesday, October 8, 1975, Wednesday, December 10, 1975, Monday, February 9, 1976, and on Wendesday, March 17, 1976, and each time requested an extension of time to allow him to resume his Chinatown Rickshaw service; and

WHEREAS, the Police Commission feels that an additional extension of time should be granted to Mr. Jung because of planned public hearings to be held by the Police, Fire and Safety Committee of the Board of Supervisors which may bring about legislation and authorization for him to charge a higher fee for the passengers utilizing his rickshaw services; therefore be it

RESOLVED, that the request of Mr. Edmund L. Jung for an extenison of time to which the Police Commission does hereby grant to May 26, 1976, to resume his Chinatown Rickshaw service, be, and the same is hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 10B, CONSIDERED FOR DISCUSSION RE POSSIBLE NON-COMPLIANCE WITH ITS PROVISIONS.

Commissioner Siggins announced the presence of Deputy City Attorney Mr. Robert Kenealey and Commissioner Ciani stated that she has had several complaints from people in regards to this Chapter and requested Mr. Kenealey to enlighten the Commission on certain aspects of its provisions. Mr. Kenealey stated that basically the reason behind the adoption of Chapter 10b was a request by the San Francisco Forty-Niners that uniformed patrolmen be placed on duty at Candlestick Park Stadium on Sunday afternoons when football was being played. The basic purpose of this ordinance was to allow the Forty-Niners to deposit money with the City and County of San Francisco and the Chief would then detail volunteers to serve at the games because of various problems that occurred out

there that didn't seem to be able to be solved by the Burns Patrolmen, a private concern. He stated there was a change made in the Draft of the Chapter by the Board of Supervisors but he did not know the reason why.

Commissioner Ciani stated a point was made perhaps that notwithstanidng the mandate of this Section whether it would be advantageous to the public or the Department to use this type of procedure for other types of employment or secondary employment, in other words, if it specifically relates to security work or maybe borderline law enforcement work, I don't know whether it would fall within that, and I would like to ask for comments from within the Department on whether that would be workable or desirable?

Captain George Eimil, Director of Personnel, stated that he thought it would be undesirable. "I think that no. 1 under that ordinance, police officers must be paid full police pay which I think is now just about eight dollars an hour. In addition to that the Employer must pay the City 22.5% that would cost an employer ten dollars an hour to hire a police officer off duty. At the present time, officers are working off duty based upon our written regulations at five fifty an hour. If we enforced Chapter 10b.1 it would drastically reduce the number of officers who could work for it would cost employers too much. He stated that the Department would be required to set up another bureau to handle the other ramifications that would be brought in to operate under this section. "It would be an additional burden on the Department."

Captain Eimil further stated that he had been administering this program since 1970 and he had never received a complaint.

Commissioner Ciani asked Chief Gain if he had any comment on this and the Chief called upon Captain Jeremiah P. Taylor, Supervising Captain of Districts, to comment. Captain Taylor stated that in his opinion Secondary Employment is getting so widespread that it is starting to interfere with the operation of the Department. He stated that there are five hundred people now engaged in secondary employment. "Although I am sympathetic to the officers wanting and desiring to obtain additional funds, I have always encouraged the use of equivalent or EWW money in other words allowing them to work what we call extra duty for a regular rate of pay. But now with this many men we find that we are getting protests over assignments and deployment and we find that a lot of men of course, are desirous of working watches that they are not really entitled to as a result of their seniority because of the needs of their secondary employment. In some cases I have found that their is interference with their primary duty as a policeman as a result of their obligations off duty.

Commissioner Ciani asked the Chief if he had any comment. The Chief stated that "we are discussing this in a broad manner now and one thing we might want to consider too is whether by permitting policemen to have secondary jobs if it is depriving citizens of employment. I think that is a fact to be considered.

Sergeant Gerald Crowley, President of the San Francisco Police Officers' Association, stated that he was addressing himself to some of the comments that Captain Taylor had made and he didn't think that the Captain should come here and talk about what he presumed would happen and that the policemen are shunning their duties because of their second jobs because he believes that is so, makes him a little upset but he thought Jack (Jack Ballentine, Treasurer, San Francisco Police Officers' Association) had some comments on that.

Officer Ballentine stated that the Administrative Code Section provisions that we are referring to are used extensively in other cities, Boston for instance. "There are a number of private police problems that the city is paying for and we might well begin what other cities are doing to have that burden placed upon whoever wants policemen there for whatever reason. That is why the Forty-Niners came and had the Administrative Code changed and that is why Candlestick Park has policemen out there and in a few other areas. I am sure that the Bank of America, who employs the vast majority of policemen at five-fifty an hour would not like to see that come about. And I think it is something you could well look into.

Commissioner Ciani: You stated two different things that might be looked into: One is the administrative changes that might insure that the present rules are being complied with in regard to secondary employment, so that it doesn't have an adverse impact on the kind of employment and the other is the possible expansion of the matter of policy of the proper use of 10B in situations where private parties do ask for additional assistance like funerals and opening for Bars and etc.

Chief Gain: In regards to that, I would be opposed to opening it up to that. In Boston and in other Police Departments on the East Coast, it is not uncommon at all to see State Police or Municipal Police standing around Public Utility type things where the Telephone Company may be repairing the street and down in a manhole using a uniformed policeman and the city provides them where there is not a need for them, but there is an understanding and you find them doing certain types of things like controlling traffic or people going in and out of parties in a private home and I would feel that we should stay away from that area, stay away from funeral escorts. There are private funeral escorting persons and that's gainful employment for people. It seems to me that the criteria that we should have in regards to some of these events we've talked about is, if there is a need for police presence for congestion, then it is our obligation to provide it. If they want the guard type person and there is not really a police need, then, to the extent possible, I think they ought to hire private individuals. There are private security firms. I think we would be taking on more of a problem

DOCUMENTS
APR 4 1976
SAN FRANCISCO PUBLIC LIBRARY

and our image would suffer if we involve this thing too much. I'm concerned about this whole matter of secondary employment. I think it should be very liberally applied and make as sure as we can that there is no conflict of interest. Then too, I question the consitutionality. What constraints can we constitutionally apply to policemen as far as secondary employment? I would suggest that we, perhaps, should explore the whole problem. Do not policemen as a constitutional right, except as a conflict of interest on the type of employment, have a right to be employed as long as it doesn't cause a real disability as far as their providing good service? I feel that the 18 hours requirement may be artificial. In some Departments, 15 hours or whatever it may be. So perhaps we should open this whole thing up for discussion and study.

Commissioer Ciani stated that perhaps the Chief and Captain Eimil and Captain Taylor could look into these various points that have been raised and perhaps report at some later time. There may also be some members of the public or representatives of organized groups who might want to have some participation.

The Commission agreed to hear the matter again on Wednesday, April 28, 1976.

Commissioner Siggins then thanked Deputy City Attorney Robert Kenealey for appearing and offering his views on Administrative Code Chapter 10B.

MR. A. R. RODERICK, MEMBER OF THE COMMUNITY RELATIONS EXECUTIVE BOARD, TARAVAL POLICE STATION

Mr. Roderick appeared and submitted a seven page report on items that he thought were problems that needed solving with help from the Police Commission and the Police Department. These items were briefly as follows: Providing protection for our Supervisors; His solution would be a Special Supplemental Budget request to fund the special protection costs. Increased mounted patrol in Golden Gate Park and eliminate mounted patrol on Federal Property. He suggest billing Federal Government for any and all services provided on Federal Land.

He then spoke of the many duties of the Civilian Arm of Police Community Relations which started in 1962. He requested that $30.00 dollars a month be made available for each of the nine (9) department-sponsored civilian PCR divisions for operational expenses and also an amount of up to $35.00 per month for the limited usage of record keeping and transportation costs to and from meetings for the District Chairman and first officers of the PCR Executive Board. (The entire context of this report is on file with the calendar items of today's meeting in the Police Commission Office.)

Captain Jeremiah P. Taylor, Supervising Captain, then spoke in answer to some of Mr. Roderick's points on the manpower allocation for the Taraval Police District. He gave a breakdown of manpower as distributed over a 24 hour period taking into consideration watch off schedules and time off for sickness and disability. He stated that he felt that the amount of manpower allocated to the Taraval was sufficient based on crimes reported to take care of the needs of that District.

Commissioner Siggins then thanked Mr. Roderick for his presentation.

COMMENDATION EXTENDED TO MEMBERS OF THE SAN FRANCISCO POLICE DEPARTMENT FOR ARREST AND CONVICTION OF ZEBRA, MURDER SUSPECTS.

Commissioner Murphy stated that on behalf of the Police Commission she would like to commend those members of the San Francisco Police Department for their excellent work in bringing about a successful conclusion in the arrest and conviction of those persons in the so-called San Francisco Zebra Murder Case.

WEEKLY SICK REPORT

Chief Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, March 13, 1976 at 2400 hours as follows:

		Previous Week
Daily average for the week sick	70	63
Daily average for the week disabled	99	102
TOTALS	169	165

This is an increase of four (4) members off duty daily from the previous week.

		Previous Week
Daily percentage for the week, sick	3.74	3.42
Daily percentage for the week, disabled	5.49	5.67
TOTALS	9.23	9.09

Disabled at start of week	99
Started during the week	15
Returned during the week	12
Disabled at the end of week	102
Net Gain or Loss	+3

Sick and Disabled for week ending Saturday, February 14, 1976 at 2400 hours:

Daily average for the week sick	49
Daily average for the week disabled	99
TOTALS	148
Daily percentage for the week sick	2.62
Daily percentage for the week disabled	5.45
TOTALS	8.07

Sick and Disabled for week ending Saturday. March 6, 1976 at 2400 hours:

Daily average for the week sick	63
Daily average for the week disabled	102
	165
Daily percentage for the week sick	3.42
Daily percentage for the week disabled	5.67
	9.09

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins
ABSENT: Commissioner Gallegos

The Commission then adjourned its meeting.

Willie E. Frazier
SECRETARY

3/24/76
c2

24 MARCH 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 24, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 17, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had begun visiting the District Stations and that some of the problems the men had were ventilated and identified. He felt now that since the men had had the chance to air their problems the Department could move ahead toward the primary task of handling the day to day police problems. He then stated that the Department has been ordered to reduce the Budget by four (4) or five (5) percent. He then asked Captain O'Brien to speak on that matter.

Captain O'Brien stated that on Monday, March 22, the Mayor called together representatives from all the City Departments to discuss the financial condition of the City itself. He made several remarks that the City is financially in bad shape because we had some twenty-one and a half million dollars we were going to be in the hole when this new fiscal year started because of requirements that are mandatory that the City provide money for, but that we wouldn't have the surplus that we had in the past for these things. As a result of his talk, he said that each Department would be expected to come up with a reduction in their budgets for the fiscal year beginning July 1, 1976/77, of between four (4) or five (5) percent of their budget that they are presently using. In other words whatever our budget is for 1975/76 we would be requested to come up with a cut between four (4) and five(5) percent from that amount for the fiscal year 76/77. He is letting the Departments make their recommendations in as much as they can to come up with these amounts.

DOCUMENTS
APR 4 1976
SAN FRANCISCO PUBLIC LIBRARY

Now this means that we submitted a budget of 77 million plus for 1976/77, whereas our budget for 1975/76 is 71 million, 300,000 dollars. So we are requested to come up with a budget cut from our budget that was submitted for next year of in excess of 8 million dollars.

Chief Gain stated that with our present resources and given the quantity of crime within our city, the Police Services that we endeavor to provide, any cut in fact in my judgement, in our current budget, the budget submitted, would have a drastic adverse affect upon our ability to cope with crime and to provide the full spectrum of police services that we are obligated to furnish.

Commissioner Hall stated to the President of the Commission that his concern is that we understand what the Mayor is trying to do, yet at the same time, I think the people of San Francisco ought to know they can not expect the same services in terms of protection and policing with a less amount of money.

Chief Gain stated that right now the Department is short 85 police officers, approximately 51 Patrolmen, 27 Sergeants, 11 Assistant Inspectors, a Lieutenant and Captain, and so on. In addition to that there are 50 to 60 men on permanent disability working and obviously they are not impacting on street-type crime.

Commissioner Gallegos stated that he would like to make a motion that the matter be reviewed by the Chief and concurred with Commissioner Siggins on a day to day basis on what cuts, if any, can be made, but particularly with the Chief to consider what impact this is going to have on rendering police services in particular the implications for public safety and go into the meeting on the basis of that view. Commissioner Murphy seconded the motion and it was unanimously approved.

Chief Gain stated that he would make the study and do all that he can to identify reductions in budget that do not effect the Department's ability to impact upon crimes on the street.

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirements of the following-named members of the Police Department:

a) Sergeant Harold M. Reynolds, Southern Police Station, for service, effective March 3, 1976.

b) Inspector Robert L. Martin, Intelligence Unit, for service, effective March 10, 1976.

c) Inspector Samuel R. Quinn, Bureau of Inspectors, for service, effective March 3, 1976.

d) Inspector Thomas F. Ryan, Bureau of Inspectors, for service, effective March 3, 1976.

e) Inspector Edmund Sarraille, Bureau of Inspectors, for service, effective March 3, 1976.

f) Inspector Donald J. Willett, Bureau of Inspectors, for service, effective March 3, 1976.

g) Police Officer Richard F. Akers, Northern Police Station, for service, effective February 18, 1976.

h) Police Officer Edward Castiglioni, Ingleside Police Station, for service, effective February 25, 1976.

i) Police Officer Albert P. Larrieu, Park Police Station, for service, effective February 18, 1976.

j) Police Officer Thomas J. O'Hara, Traffic Bureau, for service, effective March 3, 1976.

k) Police Officer Albert L. Perry, Jr., City Prison, for service, effective February 18, 1976.

l) Police Officer George B. Smith, Crime Specific Task Force, for service, effective February 25, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 121-76

ROBERT BROMBERG AND SHARON BROMBERG, AND THEIR ATTORNEY GEORGE J. ENGLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Bromberg and Sharon Bromberg in the sum of $3,000.00 in Municipal Court Action No. 701,136, entitled "Robert Bromberg and Sharon Bromberg v. the City and County of San Francisco," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 18, 1973

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 122-76

DARRILL HUDSON/CALIFORNIA CASUALTY

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Darril Hudson/California Casualty against the City and County of San Francisco in the sum of $590.70 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 20, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 123-76

WILLIAM E. WEISS, WEISS WELDING TRUCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William E. Weiss, Weiss Welding Truck, against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 124-76

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective 0000 hours Thursday, March 25, 1976, the Rules and Procedures of the San Francisco Police Department are hereby amended to read, as follows:

RULE 3.06
AMENDED PORTION
IN CAPS

May for disciplinary purposes suspend a member for a period not to exceed ten (10) days for violation of the Rules and Procedures of the Department. Any member so suspended shall have the right to appeal such suspension to the Police Commission, and have a trial and hearing on such suspension. Written notice of appeal must be filed within ten (10) days after such suspension, and the hearing of said appeal must be held within thirty (30) days after the filing of said notice to appeal. If the Commission shall reverse or alter the finding of the Chief, it shall in the case of a reversal, and in other cases, it may in its discretion, order that the member affected be paid salary for the time of his suspension. In the event the Chief should exercise such power of suspension, the member involved shall not be subject to any further disciplinary action for the same offense. In every suspension imposed pursuant to this rule, a statement in writing shall be given to the suspended member, giving notice of the authority by which it is made, the cause of the action, the length of suspension, and the right of appeal. A copy of this notice shall be forwarded to the Board and to the member's Commanding Officer. A suspension imposed pursuant to this rule shall be referred to as a "Disciplinary Suspension by the Chief."

A MEMBER SUSPENDED PURSUANT TO THIS SECTION SHALL HAVE THE RIGHT TO RESPOND EITHER ORALLY OR IN WRITING TO THE CHIEF OF POLICE PRIOR TO THE EFFECTIVE DATE OF THE SUSPENSION.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PUBLIC HEARING RELATIVE TO RULE 1.55 OF THE NEW RULES AND PROCEDURES PERTAINING TO THE CHAIN OF COMMAND OF THE SAN FRANCISCO POLICE DEPARTMENT.

Below is the list of persons who requested and received permission to speak on behalf of this issue:

Senator Milton Marks

Reverend Cecil Williams

Joe Hall, NAACP

Dr. Washington E. Garner

Percy Steele

Dante Andreotti

Reverend Marvin Chandler, Co-Chairman of Religion and Race

Sergeant Henry Williams

Officer Wildred Battle

Tom Phillips, Native American Association

Duke Smith

Mr. Preston Cook, Citizens For Justice

Lionel Uriarte, League of United Latin Americans

Cal Lambert

Mr. E. G. Williams

Beatrice C. Duncan, N.W.P.C.

Rebecca Hazelwood

Yori Wada,

Ted Flowers

Below is the list of persons who requested and received permission to speak against this issue:

Sergeant Michael Hebel

Sergeant Lou Calabro

Chief Gain then asked Sergeant David Roche, Attorney of the Legal Office, to speak on the legality of the issue. Sergeant Roche stated that they had put in many hours of research on this matter and the Chief's proposal, as written, in their opinion, is legal.

Commissioner Siggins then asked the Chief if he had any further comments. Chief Gain stated that his position is that his recommendation is legal and does meet legal requirements and "I therefore recommend to the Commission that you adopt my recommendation to change this rule as stated in the letter which I gave to you."

Commissioner Siggins then read the proposed amendment as follows:

RULE 1.55 ORDER OF RANK. The following shall be the order of rank in the Department.

Chief
Deputy Chief
Chief of Inspectors
Supervising Captain
Director of Traffic
Department Secretary
Director of Personnel
Captain of Inspectors
Captain of Traffic
Director - Technical Services Bureau
Captain, and Director, Community Relations Bureau
Lieutenant
Sergeant
Inspector
Assistant Inspector
Police Officer

Commissioner Murphy moved that the order of rank as proposed in Section 1.55 and as read by Commissioner Siggins be approved. Commissioner Gallegos seconded the motion.

Commissioner Gallegos stated that in passing this motion he would like to echo what Reverend Marvin Chandler said earlier, "We should let respect come to prominence and let recriminations die."

RESOLUTION NO. 125-76

NEW RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that Section 1.55 of the Manual of Rules of the San Francisco Police Department is hereby amended to read, as follows:

1.55 ORDER OF RANK

Chief
Deputy Chief
Chief of Inspectors
Supervising Captain
Director of Traffic
Department Secretary

Director of Personnel
Captain of Inspectors
Captain of Traffic
Director - Technical Services Bureau
Captain, and Director, Community Relations Bureau
Lieutenant
Sergeant
Inspector
Assistant Inspector
Police Officer

and be it further

RESOLVED, that said amendment to Section 1.55 of the Manual of Rules will be effective upon distribution to the members of the San Francisco Police Department.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Chief Gain recommended to the Police Commission that a copy of the Bar Association of San Francisco's Proposed Citizens Complaint Procedures For The San Francisco Police Commission, be furnished to the various Police Officers Associations for their study and comments

Commissioner Siggins stated that the Commission concurred and that the minutes would reflect this recommendation.

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, March 20, 1976 at 2400 hours, as follows:

		Previous Week
Daily average for the week, sick	67	70
Daily average for the week, disabled	106	99
TOTALS	173	169

This is an increase of four (4) members off duty daily from the previous week.

Daily percentage for the week, sick	3.60	3.74
Daily percentage for the week, disabled	5.83	5.49
TOTALS	9.43	9.23

Disabled at start of week 101

Started during the week	27
Returned during the week	15
Disabled at the end of week	113
Net Gain or Loss	+12

Sick and Disabled for week ending Saturday, February 21, 1976 at 2400 hours:		Sick and Disabled for the week ending Saturday March 13, 1976 at 2400 hours:	
Daily average for the week sick	56	Daily average for the week sick	70
Daily average for the week disabled	98	Daily average for the week disabled	99
TOTALS	154		169
Daily percentage for the week sick	2.96	Daily percentage for the week sick	3.74
Daily percentage for the week disabled	5.44	Daily percentage for the week disabled	5.49
TOTALS	8.40		9.23

The report was ordered filed

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 126-76

HEARING OF POLICE OFFICER DENNIS C. O'BRIEN, INGLESIDE POLICE STATION

WHEREAS, the hearing of Police Officer Dennis C.O'Brien, Ingleside Police Station, was called it having been set for this date; and

WHEREAS, it was recommended by Acting Chief of Inspectors, Mortimer F. McInerney, that an analysis currently being conducted by the Department of the charges placed against Police Officer Dennis C. O'Brien, Ingleside Police Station, had not been completed, and as additional time to complete the analysis would be necessary, a continuance of the hearing to April 7, 1976 was requested; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Dennis C. O'Brien, is set for Wednesday, April 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 127-76

HEARING OF POLICE OFFICER STEPHEN J. VENTERS, INGLESIDE POLICE STATION

WHEREAS, the hearing of Police Officer Stephen J. Venters, Ingleside Police Station, was called, it having been set for this date; and

WHEREAS, it was recommended by Acting Chief of Inspectors, Mortimer F. McInerney, that an analysis currently being conducted by the Department of the charges placed against Police Officer Stephen J. Venters, Ingleside Police Station, had not been completed, and as additional time to complete the analysis would be necessary, a continuance of the hearing to April 7, 1976 was requested; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Stephen J. Venters is set for Wednesday, April 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
APR 8 1976
SAN FRANCISCO PUBLIC LIBRARY

31 MARCH 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 31, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 24, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain reported to the Police Commission that at the next Commission Meeting on Wednesday, April 7, 1976, he would submit names of officers for the Commission's approval to fill currently existing vacancies in exempt positions at that time. He then made reference to the written report he had submitted earlier to the Commission regarding a number of officers who are being carried in a permanent light duty status. He stated that Dr. Steiner, the Police Surgeon, has been ordered to make a re-evaluation of the light duty status with reference to the Police Commission's policy which requires that if an officer is unable to return to full duty within one year of the date of injury, he must be retired. The number of vacancies existing in the Department at the time of this study would also be a factor to consider. He then stated that Dr. Steiner, Director of Personnel Captain George Eimil and Sergeant Kevin Conroy, the Sick Sergeant were all available for whatever questions the Commissioners may have on this issue.

Dr, Steiner was then called upon to briefly explain his determination of placing members in a permanent light duty capacity. The Doctor stated that some who have recovered from heart attacks and after subsequent examination by him which showed certain significant changes revealing that their heart was not a hundred percent, they would be partially disabled. He then stated that on the other hand, if it is normal

and they have no symptoms under stress, and this is equally significant, those individuals who have had heart attacks and has angina or pains in their chest with exertion, is certainly disabled from full duty or full exertion. He further stated that that was a ready classification and that included many of our men now that can do sorta sitting semi-sedentary work. Another variety would be an individual with a bad back either having had a bad strain or surgery on his back, others may have vertigo or hearing difficulties, there are some with emotional stressful problems under outside circumstances that could not do that under the present management. He stated that he looks at the men as full individuals in all ailments that they may have.

*** Commissioner Ciani stated that the Commission has been alarmed at the number of people who are out on sick and disability every week, the percentage is up over nine percent and that seems inordinately high and we are wondering if there is some explanation why those figures are so high.

Dr. Steiner stated that he had no ready explanation for it except for what one feels. The number of injuries have been relatively the same. The sickness is no greater for any lack of epidemic in the area. So it must be a matter of individual motivation. The urge to come back to work is much an individual one and while we make every effort to bring men back before they are fully recovered, either through some light duty capacity that they could do, much of that depends on the treating doctor and the individual.

Commissioner Hall stated that since item #12 on the Calendar is similar to the Chief's report, he thought it would be appropriate to take up that matter at this time.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION AT ONE OF ITS REGULAR MEETINGS CONSIDER ADOPTING A RESOLUTION AMENDING SECTION 1.65.10 OF THE MANUAL OF GENERAL PROCEDURES, COVERING SECONDARY EMPLOYMENT OF OFFICERS WHILE ON LIGHT DUTY STATUS.

Captain O'Brien stated that our present rules now prescribe that officers can not engage in secondary employment while on sick leave, disability leave, or on vacation.The recommendation has been made that we include within those descriptions when on light duty. And on the assumption of that if a person is physically unqualified to perform regular police duty then it seems that he shouldn't be able to do two jobs, and that is what this is for.

*** See Weekly Sick Report on page 184.

Dr. Steiner stated that he would certainly recommend the passage of this provision.

Officer Wilfred Battle, President of the Officers For Justice Association, requested to speak on the issue and stated that he would hope that the Commission would take into consideration that most members had secondary employment prior to whatever injuries they have and as such their family income is based upon it. He further asked that the Commission consider also the type of secondary employment the member would have, whether it is a sit down job or is it a job sitting at a flower stand selling flowers where it is not involving any type of physical exertion. The point being is the job the member is doing off duty should be taken into consideration and weighed as to making a decision whether a member on light duty should have no secondary employment at all while on a light duty status within the department. And as such, I am sure, the Commission and the Chief are well aware that the fact that the pay raises in the Department, we don't have them as yet, hopefully we will have them and the cost of living as it affects the members of the Police Department, not only the members of the Police Department but everyone else and the type of financial impact it would have upon the families of the members. I would hope and I am quite sure the Chief has taken this into consideration in making this recommendation.

Chief Gain stated that what we are asking the Commission to do tonight is to give the public notice tonight and then calendar it next week or whatever for public hearing.

After further discussion on the matter between the Commissioners and Dr. Steiner, Chief Gain requested that the matter be Calendared three weeks hence which would give everyone sufficient time to talk it over and then maybe entertain a revision. "So if it is heard about three weeks from now we could do some talking in the meantime."

Commissioner Ciani stated that maybe the Commission should direct a letter to the Retirement Board and ask them to furnish the Commission with thier criteria for appointing and for reviewing periodically the performance of Retirement Board Doctors with a view towards whether they are serving the public.

Chief Gain suggested to the President of the Commission that he could direct Staff to confer with the Retirement Board and try to get some of these answers.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1299 BUSH STREET - CALIFORNIA LEAGUE FOR THE HANDICAPPED, INC.,

a) At 1299 Bush Street, revoke existing 36' white zone.

b) At 1299 Bush Street, install a 36' green zone, to extend from 6' - 42' east of Larkin Street.

749 LARKIN STREET - COLOR 2000 INC.,

a) At 749 Larkin Street, install a 24' yellow zone, to extend from 32' - 56' south of O'Farrell Street.

b) Remove parking meter LARKIN-727.

749 TAYLOR STREET - TAYLOR INN

a) AT 749 Taylor Street, install a 22' white zone, to extend north of the south property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter TAYLOR-721.

900 BATTERY STREET - BUSVAN - STORAGE & UNCLAIMED

a) At 900 Battery Street, revoke existing 36' yellow zone.

b) At 900 Battery Street, install a 36' green zone, to extend from 34' - 70' north of Vallejo Street.

#1 HOLLAND COURT - ONE HOLLAND COURT CO.

a) At One Holland Court, install a 34' yellow zone, to extend north of the south property line to the loading dock.

70 ZOE STREET - 440 BRANNAN STREET ASSOCIATES

a) At #70 Zoe Street, revoke existing 49' yellow zone.

b) At #70 Zoe Street, install a 32' red zone, to extend from 72' - 104' north of Brannan Street.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 214 feet of white and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Police Officer George Herrick, Jr., City Prison, for Industrial Disability, effective March 1, 1976.

b) Police Officer Jay A. Rogovoy, Bureau of Inspectors, for Industrial Disability, effective March 17, 1976.

c) Police Officer Allan H. Roper, Bureau of Criminal Information, for Industrial Disability, effective March 26, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 128-76

GEORGE D. CAMPOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George D. Campos against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 129-76

JOHN H. GALLOWAY

RESOLVED, that the recommednation of the City Attorney for settlement of the claim of John H. Galloway against the City and County of San Francisco in the sum of $220.74 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 12 or 13, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 130-76

WILLIAM G. HUTCHISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William G. Hutchison against the City and County of San Francisco in the sum of $243.80 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 17, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 131-76

MALCOLM T. MANWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Malcolm T. Manwell against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 132-76

EDWIN WALTER MERGELE III

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edwin Walter Mergele III against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 133-76

JAMES VINCENT MORLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Vincent Morley against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 134-76

CARL B. THORSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carl B. Thorson against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 135-76

LAWRENCE ROY WAYNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence Roy Wayne in the sum of $1,500.00 in Superior Court Action No. 654-789, entitled, "Lawrence Roy Wayne vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 20, 1972

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RSOLUTION NO. 137-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $4,166 charging same to Appropriation No. 5.161.890.050 to cover narcotic fund disbursements for the month of April, 1976.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 138-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $3,333 charging same to Appropriation No. 5.161.890.000 to cover contingent fund disbursements for the month of April, 1976.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RESOLUTION NO. 136-76

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submittted by the following-named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same is hereby approved:

Assistant Inspector Alan Sonada) Juvenile Bureau)	$150.00	(Juvenile Officers (Association Conference at Anaheim, (California, March (17, 1976 to March (19, 1976, inclusive.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

TRANSFER OF JITNEY BUS PERMITS - APPROVED

The matter of the transfer of the right to operate jitney busses by the following-named persons were called, they having been advertised in the offical newspaper in accordance with the provisions of ordinance applying thereto. The transferors and transferees appeared in person and were not represented by counsels. The Commission approved the transfers of whatever rights, titles or interests that the within-named transferors might have to operate a jitney bus to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies

as provided by the Police Code:

TRANSFERORS	TRANSFEREES	NO. OF PERMITS
Alexander Atristain 2054 Chalomar Road Concord, Calif.	Richard Moreno 147 Bacon Street San Francisco, Calif.	1
James Taylor Hutchisson Seller, with Power of Attorney for Carl Lewis Peterson II 68 Rambling Lane Battle Creek, Michigan	Jose R. M.Labrador 3 Oceanside Drive Daly City, Calif.	1

Routes: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION AT ONE OF ITS REGULAR MEETINGS CONSIDER ADOPTING A RESOLUTION AMENDING RULE 2.5 OF THE MANUAL OF RULES OF THE SAN FRANCISCO POLICE DEPARTMENT. (CHIEF'S APPOINTMENTS.)

Commissioner Hall asked the Chief in what way, if any, does this recommendation affect the Reorganization Plan?

Chief Gain stated that when the Reorganization is adopted with what he has in mind now then the Commission would have to change this rule again. The titles and positions would be different. But nevertheless the Commission should go ahead with this recommendation at this time. It would be just a matter of changing them later on. With the Reorganization there will be lots of Rule changes anyway just because of terminology and that is what we are talking about here.

The Commission then ruled that this item be noticed for public hearing and set for public hearing at next week's meeting of April 7, 1976 at 1730 hours.

RESOLUTION NO. 139-76

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, AND TO RECONSIDER ITS ACTION IN LIGHT OF THE COURT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW.

WHEREAS, a Court Order was received from the Honorable Byron Arnold, Judge of the Superior Court, ordering the Police Commission to re-consider the case of Michael R.O'Brien; and

WHEREAS, the matter appeared on the Police Commission calendar of Wednesday, March 31, 1976, for notification and setting of a date for re-consideration; therefore be it

RESOLVED, that the order commanding the Police Commission to re-consider the case of Michael R. O'Brien in the light of the Superior Court's findings of fact and conclusions of law, be, and the same is hereby set for further study and determination for Wednesday, April 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

***WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, March 27, 1976 at 2400 hours, as follows:

		Previous Week
Daily average for the week, sick	64	67
Daily average for the week disabled	119	106
TOTALS	183	173

This is an increase of ten (10) members off duty daily from the previous week.

		Previous Week
Daily percentage for the week, sick	3.51	3.60
Daily percentage for the week disabled	6.72	5.83
TOTALS	10.23	9.43

Disabled at start of week	113
Started during the week	25
Returned during the week	20
Disabled at the end of week	118
Net Gain or Loss	+5

Sick and disabled for week ending Saturday, February 28,1976 at 2400 hours:		Sick and Disabled for week ending Saturday, March 20, 1976, at 2400 hours:	
Daily average for the week sick	71	Daily average for the week sick	67
Daily average for the week disabled	98	Daily average for the week disabled	106
TOTALS	169		173
Daily percentage for the week sick	3.83	Daily percentage for the week sick	3.60
Daily percentage for the week disabled	5.49	Daily percentage for the week disabled	5.83
TOTALS	9.32		9.43

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

*** See comments on page 175.

RESOLUTION NO. 140-76

POLICE OFFICER MICHAEL H. GALLAGHER, PARK POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael H. Gallagher, as follows:

SPECIFICATION NO. 1

Breach of the peace. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Resisting arrest and bringing discredit upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Failure to obey lawful order. (Violation of Section 2.45 of the Rules and Proceudres of the San Francisco Police Department)

SPECIFICATION NO. 4

Intoxicated to the extent of being unable to perform police duties. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 5

Leaving of residence while on disability

leave. (Violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department.)

by Edward J. Laherty, Jr., Captain of Police, Commanding Officer of Park Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Michael H. Gallagher, Park Police Station, be, and the same is hereby set for Monday, April 12, 1976, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

SUPPLEMENTAL REQUEST FOR LABOR LAWYER AND LABOR NEGOTIATOR.

Commissioner Ciani stated that selecting an attorney for this position may or may not call for open public hearings.

Commissioner Murphy stated that maybe it could be done through in house advertisement, i.e., Bar Association.

Chief Gain stated that that request is still in the Mayor's Office where it has been for some time now and he should suggest that perhaps the "President of the Commission would inquire as to what is going to happen to it before any action is taken on recruiting or even announcing." We should have some insurance that it is going to leave there for one and then we don't know what we will be confronted with at the Finance Committee or the full Board.

Commissioner Ciani stated that the reason that she suggest this is because in trying to move it through those processes if you can say that this is the person or these are the people we are going to attract then you have got something tangible and they are a little bit more likely to act favorably on it.

The Commissioners then decided to have the matter on next week's calendar at which time names and criteria for selection would be presented.

POLICE OFFICER JOHN M. ORLANDO - IN MEMORIUM

Communication received from Chief of Police

Charles R. Gain officially notifying the Police Commission of the death of Police Officer John M. Orlando, Central Police Station, who died on Monday, March 29, 1976.

Commissioner Murphy stated that, "We all of course saw it in the paper and it just seems terrible that this young family is going to be deprived of his pension and I understand that there is another Officer that died rather recently under similar circumstances. I believe there is some thought of getting a Charter revision or amendment that would take in situations like this that would apply to the other officer as well as Officer Orlando, is that correct?"

Captain O'Brien then stated that they did not mention the other officers name but they wanted it to be retroactive to anybody who had nine years and nine months. They are also investigating the possibly that the lukemia that Officer Orlando had was aggravated by his job.

Chief Gain stated that he was speaking earlier today to some policemen and they were discussing monthly contributions on a voluntary basis by police officers in regard to Officer Orlando, however, he did not think they were doing that same thing for the other officer.

The Police Commission then extended its deepest sympathy to Mrs. John M. Orlando and all members of his family. The meeting was then adjourned in memory of Police Officer John M. Orlando.

SECRETARY

7 APRIL 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 7, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

DOCUMENTS
APR 16 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 31, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

"Mr. President, members of the Commission, as I reported to the Commission in an ongoing basis, I undertook an interview last week of some twenty odd Captains and other persons in appointive positions for the purpose of assessing them and then determining who I wanted to appoint with the approval of the Commission to certain appointive positions non-civil service in the Police Department based upon our City Charter, the Chief of Police in effect the appointing officer makes appointments with the approval of the Police Commission. Therefore, I would like tonight to review the report a copy of which you have wherein I state these appointments and if I may I will name the individuals and have them stand as seated here. First, Captain Clement DeAmicis now a Captain who with the approval of the Commission, April 21, will assume the position of Deputy Chief. Secondly, Captain McInerney, presently Captain of Inspectors, who effective tommorow with your approval,will assume the position of Chief of Inspectors. Thirdly, Captain Mario Amoroso, who will assume the position of Director of Traffic with your approval, effective tomorrow. Captain George Sully, seated here, who will assume the position of Departmental Secretary with your approval. Captain Donald Taylor, now Captain of a district station, will assume the position of Supervising Captain, and lastly, Captain Robert Seghy, a district station Captain, will assume the position of Captain of Traffic. I therefore, and

you have the report before you, would like to appoint these persons and I herewith request your approval of these appointments. And I might add if I may that as I reported to the Commission in an ongoing way, we are working on a Re-organization Plan for the police department to be submitted to the Commission for study. I am hopeful that we will have completed that plan so that it can be submitted to the Commission next Wednesday night for study and then after appropriate study by the Commission and conversation, presumably, the Commission would set the public hearing at some future date. In regard to the Re-organization Plan as it is now conceived, there will be four Deputy Chief's positions subject, of course, to the approval of the Commission. The Re-organization Plan would be approved first as I conceive it and then thereafter I would be submitting names to the Commission for your approval of persons who would assume a Deputy Chief's position. I would request then Mr. President, if I may, that the Commission act favorably upon these appointments."

Commissioner Gallegos then made a motion to confirm the appointments as recommended by the Chief. Commissioner Murphy seconded.

The Chief thanked the Commission and then stated that "I would like to add this, if I may, there has been a need, of course, to have a management team. I am very impressed with these individuals who appointments you now approve and we want to inform the Commission that we are dedicated to fulfilling our obligations. We feel confident now that we can address several problems confronting our department we can set goals and objectives and move on."

RESOLUTION NO. 148-76

CHANGES IN PERSONNEL OF THE POLICE DEPARTMENT

WHEREAS, subject to the provisions of Section 3.501 of the Charter of the City and County of San Francisco, Chief of Police Charles R. Gain made the following appointments in the San Francisco Police Department; said positions being authorized by Sections 3.534 and 3.533 of the Charter of the City and County of San Francisco:

EFFECTIVE AT 0800 HOURS, WEDNESDAY, APRIL 21, 1976

Clement D. DeAmicis	Deputy Chief

EFFECTIVE AT 0800 HOURS, FRIDAY, APRIL 9, 1976

Robert C. Seghy	Captain of Traffic

EFFECTIVE AT 0800 HOURS THURSDAY, APRIL 8, 1976

Mortimer F. McInerney	Chief of Inspectors
George Sully, Jr.	Department Secretary

Mario Amoroso — Director of Traffic

Donald L. Taylor — Supervising Captain

therefore be it

RESOLVED, that the above appointments made by Chief of Police Charles R. Gain, be, and the same are hereby approved.

AYES: Commissioners Gallegos, Hall, Muprhy, Siggins

ABSENT: Commissioner Ciani

Commissioner Gallegos stated that he would like to have some kind of plan on how the Commission would proceed in respect to a public hearing on the matter of the Re-organization. He stated that he would like to be sure that those organizations who have expressed some interest in the plan will be given the opportunity to appear i.e., who is to be contacted? How are they contacted? and so on, should be presented to the Commission rather than just setting a date. He further stated that every thing possible should be done to try to reach out to those who have an interest and that he would like to see something before the Plan is presented to the Commission as to how to proceed and consider the different views on it.

Commissioner Murphy stated that," I would like to suggest, for example, that we do have a plan that has been submitted, I believe to you only (Chief), but we have copies of it, from the Bar Association that sets up a different plan for a complaint system and so on. I think that has to be taken into consideration if, for no other reason, than to say well we like this part of it or don't like this part of it, whatever. I also would like some imput from some other sources besides our own expertise if we have any, and that is for example the Department or the Bureau of Public Administration University of California or something like that because it is a very large Department and it hasn't been fully reorganizaed for many years as I understand it and I think we need to have all the expertise we can possibly get to really see if we can do it as right as we can."

Commissioner Hall stated that he wondered if it is possible that at the next meeting when the Chief presents his plan if he would have copies for people in the audience to study.

Chief Gain stated that we are now getting as much imput from staff as we can on the Reorganization and will certainly get outside imput advice also.

Captain Sully, Department Secretary, stated that on behalf of the other members and himself, whose appointments were just approved, by the Commission, he would like to thank the Commission and the Chief for selecting them and they would endeavor to do a better job for the citizens of San Francisco.

Chief Gain then stated that Deputy Chief William J. Keays was retiring effective April 21, and that also effective this date William J. O'Brien, Department Secretary, retired. Also effective tomorrow, Captain Charles Korelec, Captain of Traffic and Captain Louis Feder, Director of Bureau of Criminal Information will also retire.

The Commission then commended the retiring members for their many years of dedicated service to the Department and the citizens of San Francisco and wished them good luck in their retirements.

Chief Gain then asked the Commission for approval in his removal of certain persons for those positions all of which are reflected in the report currently before the Commission.

Commissioner Murphy made a motion on the Chief's request and Commissioner Gallegos seconded the motion.

Commissioner Gallegos then asked the Chief if he had any comments on the current City Workers strike.

The Chief stated that the men of the Department, so far were doing a commendable job in regard to strike activity, and then he called upon Captain Jeremiah Taylor to comment.

Captain Taylor stated that the strike situation is well in hand and in control as a result of the officers being in the field. He stated that they are assigned to those areas where there might possibly be a need as a result of picketing or a possibility of danger to certain areas.

RESOLUTION NO. 149-76

LEAVES OF ABSENCE WITHOUT PAY FOR INDEFINITE PERIODS - APPROVED

RESOLVED, that the requests of the following named members of the Department for permission to take Leaves of Absence Without Pay for indefinite periods, be, and the same are hereby approved:

EFFECTIVE AT 0800 HOURS, WEDNESDAY, APRIL 21, 1976

a) Clement D. DeAmicis designated Deputy Chief of Police

EFFECTIVE AT 0800 HOURS, FRIDAY, APRIL 9, 1976

b) Robert C. Seghy designated Captain of Traffic

EFFECTIVE AT 0800 HOURS, THURSDAY, APRIL 8, 1976

c) Mortimer F. McInerney designated Chief of Inspectors

d) George Sully, Jr., designated Department Secretary

e) Mario Amoroso designated Director of Traffic

f) Donald L. Taylor designated Supervising Captain.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 152-76

APPROVING IMMEDIATE FILLING OF VACATED NON-CIVIL SERVICE EXEMPT POSITIONS OF ONE (1) 0400 DEPUTY CHIEF OF POLICE, ONE (1) 0360 CHIEF OF INSPECTORS, ONE (1) 10480 DIRECTOR OF TRAFFIC, ONE (1) 0470 SUPERVISING CAPTAIN, ONE (1) 0420 DEPARTMENT SECRETARY, ONE (1) 0490 CAPTAIN OF TRAFFIC, AND FIVE (5) Q80 CAPTAINS OF POLICE, IN THE SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the recommendation of the Chief of Police that the Police Commission adopt a resolution approving the immediate filling of vacancies of Non-Civil Service Exempt positions, and five (5) Q80 Captains of Police, in the San Francisco Police Department, be, and the same is hereby approved, as per the following:

APPROVING IMMEDIATE FILLING OF VACATED POSITION OF DEPUTY CHIEF OF POLICE IN THE SAN FRANCISCO POLICE DEPARTMENT, EFFECTIVE APRIL 21, 1976.

RESOLVED, that pursuant to the provisions of Section 10, Subsection 7, of the Annual Appropriation Ordinance, the immediate filling in the San Francisco Police Department of the soon to be vacated position

of William J. Keays, Deputy Chief of Police, at an annual salary of $37,728, to be vacated April 21, 1976, said filling of position to be effective April 21, 1976, as requested by the appointing officer and recommended by the General Manager, Personnel, and the Mayor, be, and it is hereby approved.

Request Position Be
Filled Immediately

/s/ Charles R. Gain
Department Head

APPROVING IMMEDIATE FILLING OF VACATED POSITIONS OF ONE (1) 0360 CHIEF OF INSPECTORS, ONE (1) 0480 DIRECTOR OF TRAFFIC, ONE (1) 0470 SUPERVISING CAPTAIN, ONE (1) 0420 DEPARTMENT SECRETARY, ONE (1) 0490 CAPTAIN OF TRAFFIC AND FIVE (5) Q80 CAPTAINS OF POLICE IN THE SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that pursuant to the provisions of Section 10, Subsection 7, of the Annual Appropriation Ordinance, the immediate filling of the following positions in the San Francisco Police Department requested by the appointing officer and recommended by the General Manager, Personnel, and the Mayor, be, and they are hereby approved:

TITLE	SALARY	REASON	DATE	FILLING OF POSITION
Chief of Inspectors Charles A. Barca	$37,728	Vacated	January 6, 1976	April 8, 1976
Director of Traffic Edward B. Cummins	$37,728	Vacated	January 6, 1976	April 8, 1976
Department Secretary William J. O'Brien	$30,624	Vacated	April 7, 1976	April 8, 1976
Supervising Captain Jeremiah P. Taylor	$30,624	Returned to Q80 Captain	April 7, 1976	April 8, 1976
Captain of Traffic Charles D. Korelec	$27,888	Vacated	April 7, 1976	April 9, 1976

REQUISITION NUMBER	Q80 CAPTAIN	SALARY	REASON	DATE
4608	Clement D. DeAmicis	$25,944	Indefinite Leave to Accept Position of Deputy Chief-PROMOTED	April 21, 1976
4607	Mario Amoroso	$25,944	PROMOTED	April 8, 1976

REQUISITION NUMBER	Q80 CAPTAIN	SALARY	REASON	DATE
4606	George Sully, Jr.	$25,944	PROMOTED	April 8, 1976
4605	John C. Doherty	$25,944	PENSIONED	January 6, 1976
4582	John B. O'Rourke	$25,944	PENSIONED	March 30, 1976

We have been unable to immediately replace retiring sworn personnel until their salaries had accrued in savings to offset their lump sum payment, and this procedure has been followed. Due to the proposed reorganization it is our intention at the present time that the following exempt positions in this department not be filled, therefore savings will accrue that will partially offset this request.

		AMOUNT
1.	Captain of Inspectors	$31,524
2.	Director Bureau of Criminal Information	$29,964
3.	Director of Personnel	$29,964
4.	Property Clerk	$29,328
	TOTAL savings	$120,780
	TOTAL savings with Fringe	$191,665

Request Positions Be
Filled Immediately

/s/ Charles R. Gain
Department Head

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 141-76

MICHAEL STUART AND HIS ATTORNEYS
STEVEN B. PISER, HYDE, LUCKE AND BREWER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Stuart in the sum of $500, in Municipal Court Action No. 717646 entitled, "Michael Stuart vs. City and County of San Francisco" as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: December 3, 1974

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RETIREMENT

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Sergeant William E. Betger, for service, effective March 12, 1976.

The report was ordered filed.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 142-76

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer George A. Moissant, Jr., Taraval Police Station, was suspended without pay effective at 1840 hours, February 16, 1976, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer George A. Moissant, Jr., has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer George A. Moissant, Jr., Taraval Police Station, be placed on Leave of Absence Without Pay at his request for a period of three months commencing March 16, 1976, until his hearing is held before the Police Commission.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 143-76

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $20,000 from Appropriation Number 5.161.959.000.000 (Peace Officers' Training Fund) to Appropriation

Number 5.161.959.111.000 (Peace Officers' Training Fund - Extra Duty) to cover pending and future payrolls.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

PUBLIC HEARING RELATIVE TO ADOPTING A RESOLUTION AMENDING RULE 2.5 OF THE MANUAL OF RULES OF THE SAN FRANCISCO POLICE DEPARTMENT. (CHIEF'S APPOINTMENTS).- CONTINUED UNTIL SUBMISSION OF REORGANIZATION.

Chief Gain stated ?Mr. President, members of the Commission, I would request that this be continued for a period of two weeks for the reason that I want to review it in regard to the Re-organization Plan.

Commissioner Siggins called for comments from any of teh Police Officers Associations that happened to be present.

Sergeant Gerald Crowley, President of the San Francisco Police Officers Association, stated that prior to any Rule Changes in the Department, according to provisions of the Memordanum of Understanding, the Police Officers Association and the Commission are supposed to Meet and Confer and that the Commission has refused to live up to those provisions. He stated that he was simply asking the Commission to designate whether they would meet with the Police Officers Association under provisions of the Memordanum of Understanding. He further stated that orders are being issued and changes are occurring and these things have to be discussed. "If we are not going to discuss them or not have a relationship that the Association can depend upon then lets find out.

Chief Gain stated that he did not know of any orders being issued and things taking place, as far as I am concerned, that he is speaking to. "What has been done?"

Sergeant Crowley: "Well, we are talking about Permanent Orders and the formal discussion regarding the change of a Rule or a working condition which should be discussed in a formal manner not just call people in and say this is the order that we are going to issue, read it and thats it, or pull all three groups in and say this is the way it is going to be but you can read it prior to.

Chief Gain stated that Sergeant Crowley was talking about a directive that was issued where no rule change was involved in that directive but where there were procedural matters which were not subject to meet and confer, therefore, it was an informational meeting. "My purpose of course is not to debate, but rather to put on the record the fact that I know of no rule changes or anything else that has taken place that has violated

the meet and confer process.

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, April 3, 1976 at 2400 hours, as follows:

		Previous Week
Daily average for the week, sick	50	64
Daily average for the week disabled	127	119
TOTALS	177	183

This is a decrease of six (6) members off duty daily from the previous week.

Daily percentage for the week, sick	2.72	3.51
Daily percentage for the week disabled	7.19	6.72
TOTALS	9.91	10.23

Disabled at start of week	121
Started during the week	26
Returned during the week	21
Disabled at the end of week	126
Net Gain or Loss	+5

Sick and Disabled for week ending Saturday, March 6, 1976 at 2400 hours:		Sick and Disabled for week ending Saturday, March 29,1975 at 2400 hours:	
Daily average for the week sick	63	Daily average for the week sick	52
Daily average for the week disabled	102	Daily average for the week disabled	69
TOTALS	165		121
Daily percentage for the week sick	3.42	Daily percentage for the week sick	2.75
Daily percentage for the week disabled	5.67	Daily percentage for the week disabled	3.77
TOTALS	9.09		6.52

The report was ordered filed.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, CONTINUED FROM MARCH 31, 1976 - CONTINUED TO APRIL 14, 1976

Chief Gain stated that he is requesting a one week continuance in that matter, "I have a quantity of material to read before I can address the Commission in regard to this case."

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 144-76

SERGEANT WILLIAM T. LOGAN, NARCOTICS BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant William T. Logan, as follows:

SPECIFICATION NO. 1

Conviction of a felony (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Sergeant Charles E. Hoenisch, Acting Commanding Officer of the Narcotics Bureau; therefore be it

RESOLVED, that for the purpose of setting a hearing date on the charges filed against Sergeant William T. Logan, Narcotics Bureau, the Police Commission will calendar the matter on Wednesday, April 14, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 145-76

INSPECTOR GEORGE T. POHLEY, NARCOTICS BUREAU

WHEREAS, charges of violating the Rules and

and Procedures of the San Francisco Police Department were filed against Inspector George T. Pohley, as follows:

SPECIFICATION NO. 1

Conviction of a felony (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Sergeant Charles E. Hoenisch, Acting Commanding Officer of the Narcotics Bureau; therefore be it

RESOLVED, that for the purpose of setting a hearing date on the charges filed against Inspector George R. Pohley, Narcotics Bureau, the Police Commission will calendar the matter on Wednesday, April 14, 1976, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

YELLOW CAB COMPANY

Sergeant Roche of the Legal Office stated that the Yellow Cab Company of this city has sent a letter to Chief Gain requesting permission to suspend operation of their cab permits for a period of ninety (90) days. This request is based on hardship. However, he stated, their letter does not spell out what the hardship is other than in very general terms of increased cost and union difficulties. He further stated that he discussed it with Chief Gain today and he would recommend that the ninety day stay be denied pending a more peripheral survey as to what hardship Yellow Cab is under. He stated that right now it is not before the Commission for action but just that he wanted to give the Commission warning that it is coming up. He further stated that he would give a progress report to the Commission at its meeting of the 14th.

Commissioner Siggins then mentioned a letter from a Mr. Bernard Shuu who is requesting four (4) Limousine permits. The Commissioner asked Sergeant Roche as to what he would suggest in regards to Mr. Shuu's request.

Sergeant Roche stated that according to the Police Code, the Commission has sole discretion in the determination as to whether Public Convenience and Necessity existed to the extent that current vehicles for hire were not adequately serving the public. If the Commission feels that the public is adequately being served

there is no reason to hold hearings. He stated that holding hearings is a very time consuming process and it would probably take at least three years for anyone to be issued a permit, providing that after litigation, the Courts approved the decision of the Commission.

Commissioner Gallegos then suggested that Mr. Shuu's letter be acknowledged to that effect.

AYES: Commissioners Gallegos, Hall, Muprhy, Siggins

ABSENT: Commissioner Ciani

HEARING OF POLICE OFFICER DENNIS C. O'BRIEN, INGLESIDE POLICE STATION

The hearing of Police Officer Dennis C. O'Brien, Ingleside Police Station, was called, it having been set for this date. Police Officer Dennis C. O'Brien was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to truthfully answer questions. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

*SPECIFICATION NO. 2

Leaving assigned patrol area without permission. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

*SPECIFICATION NO. 3

Failure to notify Communications of a vehicle stop. (Violation of Police Officers Manual Section P.V.A.)

*SPECIFICATION NO. 4

Charged with committing a crime. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

*Deleted upon stipulation of both attorneys.

in a properly verified complaint by Charles A. Schuler, Captain of Police, Commanding Officer of Ingleside Police Station.

Police Officer Dennis C. O'Brien appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.

Chief of Inspectors, Mortimer F. McInerney, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

On behalf of his client, Police Officer Dennis C. O'Brien, Mr. William J. Murphy entered a verbal plea of "not guilty" to Specification No. 1, Section 2.49 of the Rules and Procedures of the San Francisco Police Department; however, it was agreed upon by the Prosecuting Attorney, Chief of Inspectors Mortimer F. McInerney and the Defense Attorney, Mr. William J. Murphy that Specification No. 2, Section 9.29 of the Rules and Procedures of the San Francisco Police Department, Specification No. 3, Violation of Police Officers Manual Section P.V.A., and Specification No. 4, Section 2.13, of the Rules and Procedures of the San Francisco Police Department, be dismissed.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witness appeared for the Prosecution, was sworn and testified:

Inspector John T. O'Shea
Bureau of Inspectors

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Dennis C. O'Brien
Ingleside Police Station

The Prosecuting Attorney and the Defense Attorney then submitted their cases to the Commission.

The Commission took the matter under submission, and then recessed from 2107 hours to 2127 hours, after which the following resolution was adopted:

RESOLUTION NO. 146-76

DECISION - HEARING OF POLICE OFFICER DENNIS C. O'BRIEN

WHEREAS, on February 23, 1976, Charles A. Schuler, Captain of Police, Commanding Officer of Ingleside Police Station, made and served charges against Police Officer Dennis C. O'Brien, as follows:

SPECIFICATION NO. 1

a) A member of this department specially assigned by lawful authority to conduct an investigation involving police matters questioned the accused relative to his whereabouts on 7 February 1976;

b) The accused stated that at the time in question he was proceeding at the intersection of Army and Connecticut Streets, where he made a "U" turn and then proceeded west on Army Street;

c) Witnesses to the accused's conduct at this time state that the accused turned left at the intersection of Army and

Connecticut Streets and proceeded north on Connecticut Street.

d) Because of the above-stated conduct, the accused did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 7, 1976, and that on Wednesday, April 7, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charge made and filed against Police Officer Dennis C. O'Brien, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Police Officer Dennis C. O'Brien did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Dennis C. O'Brien has violated Specification No. 1, Section 2.49, of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended for a period of fourteen (14) calendar days without pay, commencing Wednesday, February 18, 1976 at 1700 hours and terminating on Tuesday, March 2, 1976 at 0001 hours.

Recess taken in the hearing of Police Officer Dennis C. O'Brien: 2107 hours to 2127 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.).

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

HEARING OF POLICE OFFICER STEPHEN J. VENTERS, INGLESIDE POLICE STATION

The hearing of Police Officer Stephen J. Venters, Ingleside Police Station, was called, it having been set for this date. Police Officer Stephen J. Venters was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to truthfully answer questions. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

*SPECIFICATION NO. 2

Leaving assigned patrol area without permission. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department)

*SPECIFICATION NO. 3

Failure to notify Communications of a vehicle stop. (Violation of Police Officers Manual Section P.V.A.)

*SPECIFICATION NO. 4

Charged with committing a crime. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

*Deleted upon stipulation of both attorneys.

in a properly verified complaint by Charles A. Schuler, Captain of Police, Commanding Officer of Ingleside Police Station.

Police Officer Stephen J. VEnters appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.

Chief of Inspectors, Mortimer F. McInerney, appeared as the Prosecutor for the Police Department.

The reading of Charges was waived.

On behalf of his client, Police Officer Stephen J. Venters, Mr. William J. Murphy entered a verbal plea of "not guilty" to Specification No. 1, Section 2.49, of the Rules and Procedures of the San Francisco Police Department; however, it was agreed upon by the Prosecuting Attorney, Chief of Inspectors Mortimer F. McInerney and the Defense Attorney, Mr. William J. Murphy that Specification No. 2, Section 9.29 of the Rules and Procedures of the San Francisco Police Department, Specification No. 3, Violation of Police Officers Manual Section P.V.A., and Specification No. 4, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, be dismissed.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witness appeared for the Prosecution, was sworn and testified:

Inspector John T. O'Shea
Bureau of Inspectors

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Dennis C. O'Brien
Ingleside Police Station

The Prosecuting Attorney and the Defense Attorney then submitted their cases to the Commission.

The Commission took the matter under submission, and then recessed from 2107 hours to 2127 hours, after which the following resolution was adopted:

RESOLUTION NO. 147-76

DECISION - HEARING OF POLICE OFFICER STEPHEN J. VENTERS,

WHEREAS, on February 23, 1976, Charles A Schuler, Captain of Police, Commanding Officer of Ingleside Police Station, made and served charges against Police Officer Stephen J. Venters, as follows:

SPECIFICATION NO. 1

a) A member of this department specially assigned by lawful authority to conduct an investigation involving police matters questioned the accused relative to his whereabouts on 7 February 1976;

b) The accused stated that at the time in question he was proceeding at the intersection of Army and Connecticut Streets, where he made a "U" turn and then proceeded west on Army Street;

c) Witnesses to the accused's conduct at this time state that the accused turned left at the intersection of Army and Connecticut Streets and proceeded north on Connecticut Street.

d) Because of the above-stated conduct, the accused did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 7, 1976, and that on Wednesday, April 7, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charge made and filed against Police Officer Stephen J. Venters, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Police Officer Stephen J. Venters did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Stephen J. Venters has violated Specification No. 1, Section 2.49, of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended for a period of fourteen (14) calendar days without pay, commencing Wednesday, February 18, 1976 at 1700 hours and terminating on Tuesday, March 2, 1976, at 0001 hours.

Recess taken in the hearing of
Police Officer Stephen J. Venters:
2107 hours to 2127 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAY 7 1976
SAN FRANCISCO

12 APRIL 1976 SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, April 12, 1976 at 1730 hours, in Special Session.

PRESENT: Commissioner Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

APPEAL OF SUSPENSION OF POLICE OFFICER WILLIAM J. KELLY

The appeal of the suspension of Police Officer William J. Kelly, Northern Police Station, was called, it having been set for this date. Police Officer William J. Kelly was suspended by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of five (5) working days, effective 0001 hours, Monday, December 15, 1975 and terminating 0001 hours, Saturday, December 20, 1975. He was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

RULE 2.13

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the department or any member thereof or that is prejudical to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

RULE 2.49

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded.

All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

Police Officer William J. Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Chief of Inspectors Mortimer F. McInerney acted as Prosecutor.

Reading of the charges filed against Police Officer William J. Kelly was waived.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Earle Twilliver
2563 Divisadero Street
San Francisco, California

Mr. Jessie Hernandez
2372 Bryant Street
San Francisco, California

Police Officer Richard J. Kulstad
Northern Police Station

Police Officer Michael R. Morris
Northern Police Station

After hearing testimony of the above-named witnesses, the Commission recessed its hearing at 2330 hours, and will continue its hearing in the appeal of the Chief's suspension of Police Officer William J. Kelly, to Monday, April 26, 1976, at 1730 hours, in Room 551, Hall of Justice.

Recesses taken in the hearing of Police Officer William J. Kelly:
1925 hours to 1938 hours
2128 hours to 2330 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

APPEAL OF SUSPENSION OF POLICE OFFICER DANIEL D. O'SHEA, NORTHERN POLICE STATION

The appeal of the suspension of Police Officer Daniel D. O'Shea, Northern Police Station, was called,

it having been set for this date. Police Officer Daniel D. O'Shea was suspended by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of one (1) working day, effective 0001 hours, Sunday, December 14, 1975, and terminating 0001 hours, Monday, December 15, 1975. He was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

RULE 2.49

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

Police Officer Daniel D. O'Shea appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Chief of Inspectors, Mortimer F. McInerney, acted as Prosecutor.

Reading of the charges filed against Police Officer Daniel D. O'Shea was waived.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Earle Twilliver
2563 Divisadero Street
San Francisco, California

Mr. Jessie Hernandez
2372 Bryant Street
San Francisco, California

Police Officer Richard J. Kulstad
Northern Police Station

Police Officer Michael R. Morris
Northern Police Station

After hearing testimony of the above-named witnesses, the Commission recessed its hearing at 2330 hours, and will continue its hearing in the appeal of the Chief's suspension of Police Officer Daniel D. O'Shea, to Monday, April 26, 1976, at 1730 hours, in Room 551, Hall of Justice.

Recesses taken in the hearingof
Police Officer Daniel D. O'Shea:
1925 hours to 1938 hours
2128 hours to 2330 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 153-76

HEARING OF POLICE OFFICER MICHAEL H. GALLAGHER, PARK POLICE STATION.

WHEREAS, the hearing of Police Officer Michael H. Gallagher, Park Police Station, was called, it having been set for this date; and

WHEREAS, at the meeting of Monday, April 12, 1976, Mr. Stephen Bruce Bley, stated that the injuries sustained by Police Officer Michael H. Gallgher are so serious that he has been incapacitated for the past several weeks; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael H. Gallgher, is set for Wednesday, July 21, 1976 at 6:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

The Commission then adjourned its meeting.

SECRETARY

14 APRIL 1976 REGULAR MEETING

Minutes

DOCUMENTS
APR 20 1976

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 14, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

Commissioner Gallegos: "Mr. President, I would like to correct the minutes. In addition to the corrected items there may have been some misunderstanding about the queries that I made relative to the issue of the item before us. At the time the request was made for some kind of plan on how the Commissioners would proceed in respect to the public hearing on the matter of reorganization. I also wanted consideration made of a plan for another item, the second item dealing with the issue of a request before us on the proposed citizens complaints procedures that are before the San Francisco Police Commission as submitted to us by the San Francisco Bar Association, so that the minutes should reflect that my request was in addition to the matter of the reorganization, that a separate hearing should be considered for the matter of the proposed citizens complaints procedures. So I would like to offer those amendments to the minutes as proposed."

Commissioner Murphy: "Mr. President, I would like to make clear that these minutes should not go out to anyone until they have been approved by the Commission. I understand that they have previously been distributed before they have been approved by the Commission and I would rather they would not and I would like to make that clear."

The members of the Commission having been furnished copies of the minutes of the meeting of April 7, 1976, reading of same was dispensed with and the minutes were approved after the above corrections.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I would like to discuss with you tonight, four subjects. One is the Reorganization Plan, number two is the Bar Association Citizens Complaint Procedure Proposal. I would like to tie these two together and I would like to ask for direction from the Commission. One, I feel

and recommend and seek approval that these plans should be treated separately and not combined. I would recommend in regard to the Reorganization Plan that we do that which has been previously discussed, that is, at this time we are in the process in the police department of getting staff input and other than staff input as to our Reorganization structure. And I have sought and received from two outside sources now, reviews of the organization structure and comments and I intend to confer for example with the Bar Association, with persons from the University of California, as Commissioner Murphy has suggested, and I will also confer with others before I submit that plan to the Commission. I would recommend in regard to the Reorganization Plan that the Police Department do confer with the appropriate persons including P.O.A., and Officers for Justice and others, and then submit the plan to the Commission for your deliberation and for the setting of the public hearings, and that in regards to the Reorganization Plan, I would recommend and seek your approval that we do not have Community meetings in various parts of the city in regards to that plan. I feel that by submitting to you a written plan with supporting reasons for the Reorganization and disseminating copies of that plan within the Community to interested persons and organizations that they could input in writing to the Commission or attend the meetings here to discuss the plan. The reason I feel that, I do not feel that the Reorganization Plan will require the intensive meetings within the Community as would the Bar Association Plan. May I have your reaction to that?"

Commissioner Gallegos: "Chief, but you would take into account the wishes or the interest of the Community which would want to discuss that with you.?"

Chief Gain: "Absolutely, I have discussed the plan already with many individuals and will even do more while it is in the process of being developed."

Commissioner Gallegos: "So you are really talking about two things. One is the Reorganization Structure and secondly, the proposed citizens complaint procedure which is the second issue. The primary issue is that any Community Group that wants to express their comments to you, i.e., the Officers for Justice, the P.O.A., U. C. Berkeley, the Bar Association and others. And taking into account all of their interest and wishes on the matter with them, you will then revise your proposal to us, at which time we would then hear it at a public meeting and receive additional comments."

Commissioner Sigging: "We take it Commissioner Gallegos, that a reorganization plan is something that is drawn up by professionals in police work."

Chief Gain: "[illegible] such persons,

also seek Community input while its in the process of development and then when I've decided what I want to submit to the Commission, I will submit it and it will be influenced by various input and then of course, when the Commission receives it, we'd set a public hearing and there would be wide notice of that within the Community and of course Community persons could come here and also contribute input here so that the Commission could benefit by that from entertaining what structure they want to adopt."

Commissioner Hall: "I certainly hope we are talking about reaction to your plan and not different plans submitted by the people of the Community."

Chief Gain: "Well, I will be submitting one plan and that will be my recommendation being influenced by whatever input I can get. And then when the Commission receives that plan, it will depend upon what the Commission wants to do by receiving other type plans. That would be up to the Commission of course at that point and time. I would be submitting only one plan to you."

Mr. Marvin Rouse, with the Neighborhood Attorneys in the Mission District: Mr. Rouse stated that he thought the Commission should take the time to come out in the neighborhoods and hold public hearings on the Reorganization. He further stated that unless you have direct contact with neighborhood people on the Reorganization Plan, it would mean nothing.

Chief Gain: "If we find that there are any reasonable number of persons or organizations and they want us to go out and talk with them about the Reorganization Plan and explain it, we will be happy to do so. Now, on the second one, the Bar Association Citizens Complaint Procedure, what I recommend is that I be directed by the Commission to submit to you a plan for Community meetings in regards to that proposal, and I will identify for you in the plan the best I can the various Community Association groups within the City and then let the Commission determine meetings it wanted to have in our various Communities for a thorough discussion of the Citizens Complaint Procedure so as to get meaningful Community input. I think that this is the proposal these gentlemen are concerned about. And I feel that we should have as many meetings as necessary within the Community and the Commission in this case can go to the Community along with your staff to fully discuss the plan and get all the input that we can."

At this time, Mr. Bill Martinez representing the Police Incidents Group, submitted their recommendations to the Commission including guidelines to be used for holding public hearings on the Citizens Complaint Procedures in the various neighborhoods.

Commissioner Gallegos: "Chief, this details a number of items relative to how we might proceed on the hearings in terms of a timetable and so on. I would ask that this be reviewed by you and also by Sergeant Frazier to see what can be done to embellish on this and bring it before the Commission. Will one week be enough?"

Chief Gain: "May I ask for two weeks?"

Commissioner Gallegos: "Two weeks."

Commissioner Ciani: "May I ask a question about the third page of this proposal which indicates staffing needs and provides for some items that would be quite costly? We don't really have any budget to cover this."

Chief Gain: "We don't have a budget, no, we would have to use our own staff for these purposes for I see no way we could get budgeted for it."

Commissioner Gallegos: "I think that, and I am sure that you will agree Chief, that these are real items and we ought to not dismiss them at this time, but if we could at least, on a preliminary consideration this week, discuss with the Commission some views and then in two weeks adopt a final timetable or process for moving ahead on this because it requires some supplement to the existing staff to do this effectively, and the other problem is that if you say we are going to have to do it with the existing departmental people, the Community people may feel that this is not acceptable and not effective enough, so, what I would like to do is have you evaluate these plans that have been presented and any other plans before us. Sergeant Crowley should have a copy of this plan also. So I think that in order to completely understand, say, next week we will be discussing a preliminary view of whats possible and not possible and then in two weeks we would adopt a final plan for dates for hearings and procedures and processes."

Chief Gain: "I would like to mention one other thing in connection with the Bar Association Citizens Complaints Procedure, what I would like to do if the Commission has no objection, is to compare our present Internal Affairs Bureau Procedures with the Bar Association's Proposals and see what differences there are and I will, in fact, revise the Internal Affairs Procedures so as to incorporate what my staff feels would be appropriate things to incorporate. The reason I would like to do that is to determine what the essential differences are between our present process and the proposed process. Some are obvious, but I think we ought to get that clarification so that when it comes to public meetings, it will manifest what the differences are.

Chief Gain then stated that he had two more things to discuss: "One is in regard to strike activity that has been going on for a number of days, and we have a great many police officers devoted to the various activity related to the strike and I wanted to comment that the officers have conducted themselves in an exemplary manner throughout all of the strike activity. It is quite an arduous task, in fact, for a police officer to be assigned to areas where picketing is going on because there is anxiety attending various activities and they are doing an excellent job. Lastly, by way of reporting, I submitted to you a letter requesting, based upon the City Charter and with your approval, the Transfer of Officer John Devine from the Personnel Bureau to the Office of the Chief of Police as Special Assistant to the Chief of Police in connection with our program on Alcoholic Abuse. I feel that this action is necessary because of the nature and confidentiality of the reports in regard to Department members who are on probation to the Police Commission for Alcohol Abuse. It is very essential as we recognize to do all we can for officers who have problems in regard to Alcohol Abuse and that the confidentiality of our program be maintained. Hence, I do now seek your approval for that organizational change and Officer Devine will be an integral part of my office."

RESOLUTION NO. 160-76

TITLE OF SPECIAL ASSISTANT TO THE DIRECTOR OF PERSONNEL CHANGED TO SPECIAL ASSISTANT TO THE CHIEF OF POLICE.

WHEREAS, subject to the provisions of Section 3.501 of the Charter of the City and County of San Francisco, Chief of Police Charles R. Gain made the following appointment in the San Francisco Police Department; said position being authorized by Section 3.533 of the Charter:

EFFECTIVE AT 0800 HOURS, MONDAY, APRIL 12, 1976

Police Officer John F.Devine - Special Assistant to the Chief of Police

therefore be it

RESOLVED, that said appointment vacates and abolishes the position of Special Assistant to the Director of Personnel formerly held by Police Officer John F. Devine.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

MEET AND CONFER PURSUANT TO MILIAS-MEYERS-BROWN ACT

The subject of meet and confer sessions with the various police officers associations was discussed at this time. The Commission noted that to meet and confer with a quorum of the Police Commission in private sessions as requested by the San Francisco Police Officers' Association, would be a violation of the Milias-Meyers-Brown Act. Commissioner Siggins then appointed Commissioners Judith E. Ciani and Herman E. Gallegos, to represent the Police Commission in meeting with the various associations. Sergeant Crowley, President of the Police Officers' Association present at this time, agreed with this selection and it was decided that meetings would be scheduled to commence in the immediate future.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

207 FILBERT STREET - KING ANTIQUE SHOP

a) At approximately 207 Filbert Street, install a 32' yellow zone, to extend from 10' - 42' west of Sansome Street.

2899 ARMY STREET - ELECTROMATIC DOOR CO.

a) At 2899 Army Street, install a 32' yellow zone, to extend from 10'- 42' east of Precita Avenue.

2222 PALOU AVENUE - ROYAL SALON DISTRIBUTORS

a) At 2222 Palou Avenue, install a 22' green zone, to extend south of the north property line.

1469 PACIFIC AVENUE - JUST DESSERTS BAKERY

a) At 1469 Pacific Avenue, install a a 32' green zone, to extend from 22' - 54' west of east property line.

425 MONTEREY BOULEVARD - CALIFORNIA HOME REPAIR, INC.

a) At 425 Monterey Boulevard, install a 22' yellow zone, to extend from 6' - 28' west of east property line.

1870 SACRAMENTO STREET - VAN NESS OLDSMOBILE

a) At approximately 1870 Sacramento Street, install a 26' yellow zone, to extend from 70' - 96' east of Van Ness Avenue.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 274 feet of yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 154-76

JACK CARLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack Carli against the City and County of San Francisco in the sum of $80.60 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 22, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 155-76

ARDESSA MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ardessa Marshall against the City and County of San Francisco in the sum of $163.95 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 14, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 156-76

ROBERT WILLIAM MUSANTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert William Musante against the City and County of San Francisco in the sum of $68.00 as the result of property damage, be, and the same is hereby approved.

Date of Incident: August 19, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 157-76

DARLENE RAMIREZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darlene Ramirez against the City and County of San Francisco in the sum of $184.38 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 9, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 159-76

SAM MARTHA AND HIS ATTORNEY JOHN GARDENAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sam Martha in the sum of $500.00 in Municipal Court Action No. 701-404, entitled "Sam Martha v. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 28, 1973

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Ferdinand Gomez 59 Rondell Place San Francisco, California	Gilbert A. Delpasen 58 Rondell Place San Francisco, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 150-76

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1967/77 - SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1976/77, as submitted by Chief of Police Charles R. Gain, in the following amount be, and the same is hereby approved:

Supplemental Budget Reduction - $275,845

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 151-76

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1976/77 - SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1976/77, as submitted by Chief of Police Charles R. Gain, in the following amount, and the same is hereby approved:

Supplemental Budget Reduction - $110,708

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

POLICE COMMISSION DISCUSSION RE PROCEDURE TO BE USED IN THE SELECTION OF A LABOR ATTORNEY AND A LABOR NEGOTIATOR TO HANDLE POLICE COMMISSION MATTERS RELATIVE TO NEGOTIATING WITH VARIOUS POLICE OFFICERS' ASSOCIATIONS. - CONTINUED TO APRIL 21, 1976 BY PRESIDENT SIGGINS BECAUSE IT IS CONSIDERED TO BE ADMINISTRATIVE IN NATURE AND WOULD BE DISCUSSED INDIVIDUALLY WITH FELLOW COMMISSIONERS.

RESOLUTION NO. 161-76

POLICE OFFICER GREGORY J. CLONEY, CENTRAL POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Gregory J. Cloney, Central Police Station, as follows:

SPECIFICATION NO. 1

Conduct which reflects discredit upon the Police Department (Violation of Section 2.13 of the Rules and Proceudres of the San Francisco Police Department)

by James M. Curran, Captain of Police, Commanding Officer of Central Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Gregory J. Cloney, Central Police Station, be, and the same is hereby set for Wednesday, April 28, 1976 at 5:30 p.m.,

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 162-76

POLICE OFFICER [illegible], CITY PRISON

WHEREAS, [illegible] violating the Rules and

Procedures of the San Francisco Police Department were filed against Police Officer Louis Gomez, City Prison, as follows:

SPECIFICATION NO. 1

Breach of the Peace (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by J. William Conroy, Captain of Police, Commanding Officer of the City Prison; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Louis A. Gomez, City Prison, be, and the same is hereby set for Wednesday, April 28, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 163-76

DATE TO BE SET FOR HEARING OF SERGEANT WILLIAM T. LOGAN, NARCOTICS BUREAU, CONTINED OFF-CALENDAR

WHEREAS, the date to be set for the disciplinary hearing of Sergeant William T. Logan, Narcotics Bureau, was called; and

WHEREAS, Mr. William Murphy, attorney for Sergeant William T. Logan, appeared before the Police Commission and advised that Section 17 of the California Penal Code, states that a conviction of a public offense which may be punishable by imprisonment in the State Prison, and deemed a felony, may not be so deemed until after sentence is imposed by the Magistrate in said case; and

WHEREAS, Sergeant William T. Logan has been found guilty in Federal Court of two crimes deemed to be felonies, but has not yet been sentenced; and

WHEREAS, the basis of the Police Department's charges rested upon his being convicted of a felony, but because of his not being sentenced, that allegation is negated; therefore be it

RESOLVED, that because of the above-stated circumstances, the date for the setting of the disciplinary hearing before the Police Commission for Sergeant William

T. Logan, Narcotics Bureau, be, and the same is hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 164-76

DATE TO BE SET FOR HEARING OF INSPECTOR GEORGE T. POHLEY, NARCOTICS BUREAU, CONTINUED OFF CALENDAR

WHEREAS, the date to be set for the disciplinary hearing of Inspector George T. Pohley, Narcotics Bureau, was called; and

WHEREAS, Mr. William Murphy, attorney for Inspector George T. Pohley, appeared before the Police Commission and advised that Section 17, of the California Penal Code, states that a conviction of a public offense which may be punishable by imprisonment in the State Prison, and deemed a felony, may not be so deemed until after sentence is imposed by the Magistrate in said case; and

WHEREAS, Inspector George T. Pohley has been found guilty in Federal Court of two crimes deemed to be felonies, but has not yet been sentenced; and

WHEREAS, the basis of the Police Department's charges rested upon his being convicted of a felony, but because of his not being sentenced that allegation is negated; therefore be it

RESOLVED, that because of the above-stated circumstances, the date for the setting of the disciplinary hearing before the Police Commission for Inspector George T. Pohley, Narcotics Bureau, be, and the same is hereby continued off-calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, April 10, 1976 at 2400 hours, as follows:

		Previous Week
Daily average for the week sick	48	50
Daily average for the week disabled	130	127
TOTALS	178	177

This is an increase of one (1) member off duty daily from the previous week.

		Previous Week
Daily percentage for the week, sick	2.56	2.72
Daily percentage for the week disabled	7.34	7.19
TOTALS	9.90	9.91

Disabled at start of week	131
Started during the week	24
Returned during the week	26
Disabled at the end of week	129
Net Gain or Loss	-2

Sick and disabled for week ending Saturday, March 13, 1976 at 2400 hours:		Sick and disabled for week ending Saturday, April 5, 1975 at 2400 hours:	
Daily average for the week sick	70	Daily average for the week sick	55
Daily average for the week disabled	99	Daily average for the week disabled	67
TOTALS	169		122
Daily percentage for the week sick	3.74	Daily percentage for the week sick	2.91
Daily percentage for the week disabled	5.49	Daily percentage for the week disabled	3.69
TOTALS	9.23		6.60

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, CONTINUED FROM APRIL 7, 1976 - CONTINUED TO APRIL 14th, 1976 FOR THE PURPOSE OF ALLOWING COMMISSIONER SIGGINS TO READ THE TRANSCRIPT IN THE 1969 HEARING.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

Prior to the calling of this item, Commissioner Ciani requested to be excused and did not vote upon this item.

MESSRS. J. WM. ROBERTS AND THOMAS L. SCHULTEN APPEARED BEFORE THE POLICE COMMISSION AND ATTEMPTED TO SHOW THEY WOULD BE ABLE TO PROVIDE BETTER SERVICE TO THE PUBLIC THAN IS CURRENTLY BEING PROVIDED BY VEHICLES FOR HIRE; NAMELY TAXICABS. THE POLICE COMMISSION THEN THANKED THEM FOR THEIR PRESENTATION.

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAY 6 1976
SAN FRANCISCO
PUBLIC LIBRARY

21 APRIL 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 21, 1976, at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of April 14, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I have two items to report on tonight. I will have staff members report on each. One, at your pleasure, is a review of the budget, where we are at this time, in the process and Captain Sully will speak to that."

Captain Sully: "Mr. President, members of the Commission, as you know we submitted a budget in the total amount of 77 million, three hundred thousand, four hundred and twenty three dollars, which was an increase of 7% over the last year's budget. I want you to take into account that last year's budget did not include the total amount of salaries of the 13.05% increase for the total year. It was only eight and one-half months. Therefore, if an add had been included in it and the budget resubmitted, it would have only been up 1.8% rather than a little over 7%. The Mayor did cut the budget in the amount of $3,687,594.00, which was a reduction of 4.77%. Included in these cuts were, by the Mayor, a recommendation that 105 positions be reduced in the Department and the Department agreed with Supplemental re-appropriations of reclassification of personnel for another 14 which made a total of 118 positions. On the other side of the ledger though, the Mayor did approve 37 civilian positions in the current budget, and when this figure is added to the number of sworn and non-sworn personnel freed for duty by the Sheriff's take-over of City Prison, there will be an increase of 91 sworn personnel available for patrol duty. This adjustment will then result in a net loss of 27 persons only in patrol duty. If no further cuts are made by the Board of Supervisors, then it will not be necessary to terminate any employments

in the Police Department if the adjustments are made among the several ranks. Counting all the guaranteed vacancies we have now by May 11, 1976, and if no other separations occur before July 1, 1976, there will be 17 more police officers and nine more Assistant Inspectors than we have positions for when the new fiscal year begins. What may occur though is that there will be separations in the ranks of police officer between now and June 30, 1976, which will be sufficient to meet the number of police officer positions cut by the Mayor and no separation in the ranks of Assistant Inspector are anticipated. To avoid the termination of nine persons now holding the rank of Assistant Inspector, it will be necessary to promote nine Assistant Inspectors to the current compliment of the rank of Inspector and therefore those persons who are holding the rank of police officer, it will be necessary to promote 17 of those to the current compliment of the rank of Sergeant and then trade positions for the first 17 who are appointed to the rank of Sergeant and therefore not wind up with any reduction. We have them broken down here for the Commission and we think that we can get by at the present time with 121 current vacancies. The Board of Supervisor's Analyst recommendation to the Board of Supervisors is that another $503,798.00 dollars be reduced from the Budget the Mayor submitted. They are in arbitration with that at the present time and I think that we can justify the terrific reductions that have already been made in the Budget and we will meet with the Budget Analyst either tomorrow or Friday and I will report back to you later on that. One of the major amounts that they cut was in our automotive equipment account and they asked for a cut of $202,239.00. This year we were allocated, after all of the cuts were in, $430,000.00 for equipment so far and up to the present time, they have released $9,000 for pic radio batteries and through the Chief's insistence, they have released 20 police vehicles and that is all that we have gotten out of this budget. So, we will be talking with the Budget Managers of the Board of Supervisors and asking them to re-introduce the item because we are on a bare bones budget the way it is now."

Commissioner Gallegos: "How do we stand on the matter of repair and maintenance of equipment?"

Captain Sully: "We are not in good shape by any means at the present time."

Chief Gain: "The next subject of report Mr. President, to the Commission is on giving interested persons notice when a new traffic zone is going in, yellow zone, white zone, and the Commission asked for a report on this. We have before you a proposal, that is going to need further work, but Captain Bob Seghy is here to speak to what he has in mind with this new proposal and to respond to any questions from the Commission."

Captain Seghy: "Commissioners, the proposal basically

provides a record for receipt of applications for a special traffic parking zone and describes a procedure whereby we will post a notice to the public. On the second page you will find that I have had a rough draft subject to any amendment by the Commission for the Public Notice and our understanding is that the notice will be posted within 100 feet of the area of the desired special curb zone more preferably in general it will be located at the business that is requesting the zone. There will be a procedure established in the Traffic Bureau whereby we will receive any information on such public interest included in the report to the Commission and I might say that in item 5 as I wrote this, I wasn't aware at that time that the Commission had ordered the Traffic Bureau not to have a representative present, so I request that you amend that procedure whereby we would call to the Secretary of the Police Commission, our findings before this Commission rather than sending a Sergeant to represent us."

Commissioner Murphy: "Will you continue to have someone from your Department visiting in the neighborhood too as they have in the past?"

Captain Seghy: "Each location would be investigated. That would include any interested party in case of businesses as well as the applicants."

Commissioner Ciani: "One of the things that concerns me as much as the institution of the new zones is the procedure for changing the existing zones. What my concern really is, is that the public be made aware in some way of the fact that a business zone can be changed by raising an objection. How is that handled currently?"

Captain Seghy: "Notice for the existing zones could be handled in the same manner. Most revocations, by my understanding, is simply abating the business persons utilizing that location or change the type of business no longer requiring or necessitating investigating a second time or the business becomes stagnant and they move."

The question of persons placing "No Parking" signs in front of their business establishments arose and Chief Gain stated that an investigation would be made of this and submitted to the Commission in one week.

Commissioner Ciani stated that she had heard that the Department of Public Works in 1966, conducted a study on the various zones in business areas in the City and she further stated that she would like to know the results of that study and if there is any current validity attached to it.

Captain Seghy stated that he would update his report to include those items of which the Commission is questioning and submit it prior to next week's meeting.

Chief Gain then stated that that concluded his report to the Commission.

THE CLAIM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO MADE BY WILLIAM ROBINSON JR., IN THE SUM OF $20,000.00 WAS CONTINUED TO APRIL 28, 1976.

RESOLUTION NO. 158-76

BERNARD & FRANCINE JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bernard and Francine Johnson in the sum of $272.90 against the City and County of San Francisco as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 27, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RETIREMENTS

Communications were received from the REtirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Captain John C. Doherty, Park Police Station, for service, effective March 31, 1976.

b) Lieutenant James W. McGowan, Taraval Police Station, for service, effective March 15, 1976.

c) Inspector Ralph V. Brown, Bureau of Inspectors, for service, effective March 17, 1976.

d) Inspector Frank G. Gibeau, Bureau of Inspectors, for service, effective April 14, 1976.

e) Inspector Edward J. McKevitt, Bureau of Inspectors, for service, effective April 14, 1976.

f) Inspector Thomas M. Walsh, Bureau of Inspectors, for service, effective April 16, 1976.

g) Sergeant Robert F. Welch, Bureau of Inspectors, for service, effective March 17, 1976.

h) Sergeant James P. Pigott, Park Police Station, for service, effective April 8, 1976.

i) Police Officer John A. Russell, Park Police Station, for service, effective April 14, 1976.

j) Police Officer Joseph Broggi, Mission Police Station, for service, effective March 17, 1976.

k) Police Officer Ralph V. Calhoun, Taraval Police Station, for service, effective March 31, 1976.

l) Police Officer Martin F. Moser, Traffic Bureau, for service, effective April 14, 1976.

m) Sergeant Hugh R. O'Connor, Taraval Police Station, for service, effective March 31, 1976.

n) Telephone Operator Charles L. Deming, Bureau of Communications, for service, effective March 21, 1976.

The reports were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PUBLIC HEARING RELATIVE TO ADOPTING A RESOLUTION AMENDING SECTION 1.65.10 OF THE MANUAL OF GENERAL PROCEDURES. (SECONDARY EMPLOYMENT)-CONTINUED TO APRIL 28, 1976.

Chief Gain asked that this item be put over

to April 28, 1976 so that he could get a better definition of"Conflict of Interest" as it applies to one who is on light duty and perhaps engaged in secondary employment.

POLICE COMMISSION DISCUSSION RELATIVE TO POSSIBLE ADOPTION OF PROPOSED RULES GOVERNING POLICE COMMISSION PUBLIC HEARINGS.

Commissioner Gallegos explained to the audience that the rules the Commission is contemplating adopting are procedural for the Commission when holding public hearings. He then stated that the matter will be Noticed for a Public Hearing and that the proposals, as outlined, would be available prior to next week's Public Hearing in the Police Commission Office, Room 505, Hall of Justice.

Commissioner Gallegos then briefly read some of the provisions and stated that he would certainly be interested in receiving any comments on said proposal.

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, CONTINUED FROM APRIL 14, 1976.

Commissioner Siggins: "What happened in this matter, is: there is an order from the Superior Court and it is a question of whether the order is going to be appealed or what procedure is going to be taken. It is a possibility that we will have another hearing." He then suggested that the matter be continued to April 28, 1976.

POLICE COMMISSION DISCUSSION REGARDING PLANS TO BE CONSIDERED FOR HOLDING PUBLIC HEARINGS ON THE BAR ASSOCIATION'S CITIZEN COMPLAINTS PROCEDURES.

Chief Gain: "If I may Mr. President, as I recall the instructions from the Commission, our plan is due to be submitted to you next week and this week was to be a status report. Deputy Chief Clement DeAmicis has the responsibility of putting together a plan and he has met with Community Groups. With your approval, I will have him report on where we are today."

Deputy Chief DeAmicis: "Mr. President, Members of the Commission, this will be a very short status report regarding the hearings on Citizens Complaint Procedures. Generally speaking, we are talking about six locations in San Francisco. One

here at the Hall of Justice and five in the Districts. We borrowed this plan from the San Francisco Public School Plan. Whenever they move out into the Districts to take testimony, they select five schools that are centers of population within the District. The recommendation is that we have an afternoon, Saturday hearing at the Hall and then five evening meetings in the District. One meeting per week. This would give us a tentative start about 8 May of this year and then by 16 June your findings and recommendations could be made from that time to the end of July. Again the sites are all public schools. We are having some problems because some of the schools are being earthquake proofed at this time. We would be interested in taking testimony, both oral and written, and we have taping facilities available for the hearings. There have been some groups that have talked with me about it. The Police Incidents Group for one and the District Council of Merchants, Citizens for Justice and the various Community Relations Groups will also be asked for their input. We will give advance notice by radio, television, and newspaper and I shall have the complete report for you by the next meeting."

HEARING TO DETERMINE IF PACIFIC PUBLIC CARRIERS CO-OPERATIV E, INC., ARE VALID INSURANCE CARRIERS FOR SAN FRANCISCO PUBLIC VEHICLES FOR HIRE.

Mr. Sidney Weinstock, Insurance Attorney and Mr. Maury Frohman, appeared on behalf of Pacific Public Carriers Co-op.

Officer Jerome DeFilipo, Police Department Legal Officer, in giving some background to the Commission on this item stated: "Mr. President, Members of the Commission, basically what happened is that the Department was notified by the State Department of Insurance that the Cooperative Corporation involved here is not authorized by the State of California to act as an Insurance Company. The Cooperation was apparently acting as a Broker for the excess insurance, that is the individual cab drivers within the City and County of San Francisco have formed a collective and pay a sum of money each month to this Cooperation. They then pruchased an excess policy of insurance from a valid insurance company, one that is registered in the State of California. There is approximately 127 cabs and 60 jitneys involved in this Cooperation.

Mr. Weinstock stated that he believes he would be able to arrange for the Co-op, insurance that would not be questioned at all. He then requested that the matter be put over to allow him time to work it out.

Officer DeFilipo then asked the Commission to require the Pacific Carriers Co-op to provide the Department with a copy of the daily or weekly accident report so as to provide some type of a monitor of the potential depletion of any assets of the Cooperation.

Commissioner Siggins stated that it should be done on a Claims-made basis. Any claim in the amount of $5,000 should be included in those daily reports.

Officer DeFilipo suggested that all permit holders insured by Pacific Public Carriers Co-operative be notified by mail of the Co-op's problem.

The matter was then continued to May 19, 1976.

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, April 17, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	36	48
Daily average for the week disabled	128	130
TOTALS	164	178

This is a decrease of fourteen (14) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	1.91	2.56
Daily percentage for the week disabled	7.22	7.34
TOTALS	9.13	9.90

Disabled at start of week	125
Started during the week	24
Returned during the week	27
Disabled at the end of week	122
Net Gain or Loss	-3

Sick and Disabled for week ending Saturday, March 20, 1976 at 2400 hours:		Sick and Disabled for week ending Saturday, April 17, 1975 at 2400 hours:	
Daily average for the week sick	67	Daily average for the week sick	53
Daily average for the week disabled	106	Daily average for the week disabled	75
TOTALS	173		128

Daily percentage for the week sick	3.60	Daily percentage for the week sick	2.81
Daily percentage for the week disabled	5.83	Daily percentage for the week disabled	4.13
TOTALS	9.43		6.94

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

28 APRIL 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 28, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DOCUMENTS
MAY 11 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of April 21, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioner Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have only one thing to report, I am now a resident of the City and County of San Francisco. I live in the Sunset District."

PUBLIC HEARING RELATIVE TO POSSIBLE ADOPTION OF PROPOSED RULES GOVERNING POLICE COMMISSION HEARINGS ON THE BAR ASSOCIATION'S CITIZEN COMPLAINTS PROCEDURES.

Chief Gain: "Mr. President, members of the Commission, we submitted to you a draft plan for your discussion and approval. I will review it orally and what it proposes is that the Commission will hold public hearings on the proposal submitted to it by the Bar Association of San Francisco which recommends a new procedure for handling Citizens Complaints against police officers. We are suggesting six sites which are designated in this plan be accepted by the Commission for the location of hearings. The first one would be at the Hall of Justice on a Saturday afternoon and the remaining five would be evening meetings held at public schools throughout the City. Then we submit to the Commission the names of the schools and suggested days of the week. The Hall of Justice meeting would be Saturday afternoon from 1 to 5, the ones in the schools would be on Thursday evenings from 7:30 p.m., to 10:00 p.m., and we have left out specific dates subject to the Commission's desire. We discussed before perhaps having the first meeting on May 8. The agenda at each meeting would consist of three things, the presentation of the Bar Association proposal by a representative from the Bar Association and then a presentation of existing

procedures in handling Citizens Complaints against police officers by staff, that is an explanation of our Internal Affairs Bureau Procedure and third, the taking of relevant oral and written testimony by interested members of the public. We would suggest that in regard to the procedure that would be followed at the time of the hearings, it would be the Police Commission Procedures for allowing the public to speak at its hearings, which proceedings I don't recall now whether they have been adopted or not, but we would suggest that type of procedure be followed. Then lastly, there would be as wide advanced public notice of the hearings via the news media and perhaps by giving to neighborhood and business associations in a given area of the date and time of the meeting and the purpose of the hearing. The Bar Association has stated they would make available copies of their proposal for the cost of $1.00. The Police Department will provide descriptions of its present investigatory procedures to the public without cost. The Commission has also asked for a cost analysis as between the present cost of operation of Internal Affairs Bureau and the proposed cost of the Bar Association proposal, which information we've given to you. The cost factors as we now discern them to be, the present Internal Affairs Bureau cost for salaries, fringe benefits, and so on, amounts to $395,000 a year. The proposed civilian staffing from the Bar Assoication Proposal would be $282,655 a savings of some $112,000. I therefore submit this plan to the Commission for your entertainment and subject to any changes in its regard that you may have."

Commissioner Gallegos: "I would like to know if there is anyone in the audience who has looked at this, has any comment on it?"

Mr. Alfredo Rodriguez: "I am a resident of the Mission District and I do have a problem with James Lick Jr., High School. It is sorta out of reach for the very large Spanish speaking population which is more concentrated in the inner Mission, rather than the Eureka Valley Noe where James Lick Jr. High School is located. Because of that I would like to suggest that if it can be arranged, that possibly Lulack, which is located on Army Street, and more centrally located and more accessible, not only to the Spanish speaking population but also to the black population of Potrero Hill which is a part of the Mission, and also the Philippino and Samoan populations of the Mission District, who I suspect are more indirectly affected at least by alleged incidents. So I would just submit that thought."

Mr. Rodriguez also suggested Samuel Gompers as another possible site to be given some thought to for holding said hearings.

Mr. Marvin Rouse: "My conversation is the same as Alfredo's, that I feel if you hold hearings up on either of the Hills, Potrero Hill or the other, would be bypassing the people that are down in the Mission. The boundaries, I might suggest, are Valencia, on one side, Bryant on the other side, Army Street and maybe down as far as 16th."

Commissioner Siggins: "Chief, how about looking into the areas mentioned?"

Commissioner Gallegos: "Chief, on the question of these hearings, there will be a tremendous amount of information, both oral and written, presented to us and it seems to me that the Commission will be busy listening attentatively, and I hope, asking questions and trying to get responses, but after it is all over, we will have to sift it all out and try to put it in some meaningful context in terms of pros and cons, and I think that we will probably need some help. I am not asking for a transcript, but I think there may be some very important things that we would like highlighted as a result of each of the hearings. Not necessarily a transcript but something relevant that came out of it. Who appeared and what was the essence of the reports of the neighborhood groups."

Chief Gain: "Our plan is to have staff for the Commission at the hearings to accomplish this task. Our iention is to record all of the testimony and,of course, we will have the speakers identified. They will make out cards and then we will summarize the transcript."

Commissioner Gallegos suggested that if the budget permits it, to have some one there who could act as an interpreter for those who are not proficient in the English language. He also questioned the proposed starting date of May 8.

Chief Gain: "That was just a proposal to kick off the discussion because the Commission, your availability or desires, of course, will control the setting of dates and times.

Commissioner Gallegos: "My feeling on the starting date it seems to me that number one, if you move to quickly to the hearing on May 8, I am concerned that we may not do an adequate job of informing the public as to the issues and information. I really don't want to rush into hearings for hearings sake. I think it is something very important and I think we ought to satisfy ourselves that enough time has been given to groups about the availability of the locations and where they might go and it's not that I hesitate in starting, but I think once we go, I think we ought to make sure that all of the dates are clear and we can proceed. So, I think May 8 may be short only because here tonight we are approving it and some groups are still preparing a summary of their comments."

Chief Gain: "It is short. I think it's too short. I would suggest that the first meeting be a month away. We do have to prepare flyers to mail to neighborhood groups, to Associations and so on, to make sure every one is informed far in advance, and we have yet to complete our own procedures, for example,, so I would suggest one month."

Commissioner Gallegos: "I would like to suggest that we approve the plans as presented to us by the Chief and then let the Commission discuss the specific dates of hearings rather than trying to resolve that right now. So I make a motion to adopt the procedures."

Commissioner Murphy: "I second it."

Commissioner Ciani: "I would like to be sure that no one has any questions about other locations."

Mr. Marvin Rouse: "I see the same problem arising for the people in the Haight and for the people in the Fillmore Western Addition, like the people in the Mission District. You have the same cultural relation pockets. The idea is to try to get people to come to the meetings, not to keep them remote , and I would suggest to try to find a location within what I would call the inner Haight and also within the Fillmore Western Addition. We are speaking of the Anza Elementary School on Vega Street."

Commissioner Ciani: "Could we just leave that in the Chief's discretion to work out any of the questions that are raised by the people here to their satisfaction?"

Sergeant Gerald Crowley: "I would like to know, are these locations going to be changed around or evidently fitted to suit the needs of a very limited group of people? I just want to know where are we going to meet? The suggested locations in the plan are fine with me."

Chief Gain: "As I understand it, Mr. President, that with the exceptions of James Lick and Anza, that we accept the other locations."

Commissioner Ciani: "I would like for it to reflect in this last sentence (of the proposed Bar plan and current Internal Affairs Bureau procedures) that the comparison prepared by the Department will also be available."

The Commission then adopted the plan with the suggested amendments and gave the Chief the discretion to look into the locations of the two questionable school sites and to possibly expand to six.
See Resolution No. 165 on Page 248.

AYES; Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PUBLIC HEARING RELATIVE TO ADOPTING A RESOLUTION AMENDING SECTION 1.65.10 OF THE MANUAL OF GENERAL PROCEDURES OF

THE SAN FRANCISCO POLICE DEPARTMENT. (MEMBERS ENGAGED IN SECONDARY EMPLOYMENT WHILE ON LIGHT DUTY).- WITHDRAWN

Chief Gain: "What I am proposing, Mr. President, members of the Commission, is that we place this item off calendar and that the Manual of Rules Section regarding Secondary Employment, the revision that I recommended to you previously, not be adopted. The reason being that after meeting with certain staff members, including the legal office, we examined that a change in the rule is not needed, that we have a present rule in our Manual of General Procedures which will accomplish that which is desired by us. The present rule states that, 'Where it appears from the members' sick or disability leave record, or other evidence, that secondary employment might impair or interfere with his ability to efficiently discharge his Police Department obligations, then a Secondary Employment permit can be rescinded or revoked.' We feel that a member who is on light duty can be examined by the Police Surgeon if the nature of his medical disability is such that he could not fulfill his obligations, then we feel that this rule will permit us during the time of his disability to preclude him from engaging in Secondary Employment. Hence, no need for a change in the present rule."

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 10B, CONSIDERED FOR DISCUSSION RE POSSIBLE NON-COMPLIANCE WITH ITS PROVISIONS.

Chief Gain: "Mr. President, members of the Commission, I recommend this item be continued for a two week period for deliberation. There is a lengthy report before the Commission, in fact, I think several reports, and discussion is needed." I also want to submit to the Commission, a report which will contain the name of each individual who now has a permit to engage in Secondary Employment and which will state to the Commission precisely the nature of work being undertaken, so the Commission will have that knowledge. I feel that our present rules on Secondary Employment have been effective, based upon the reports that we have seen. Now I think it is a matter within the frame work of our existing rules for the Commission to have knowledge of the specific work being undertaken then to deliberate on where to go from there."

A request was made from a member of the audience at this time to speak and it was granted: "I am a police officer and I have Secondary Employment. I try to support my family in a better manner than that which I am paid for by the Department. I want the Police Commission to realize that I do this not because I am trying to take away from my job as a police officer, but to also assist my family for a better life."

He then stated, after being asked by Commissioner Siggins, that his name was Officer Wood. He further stated that he was a police teller at the Bank of America, and that if the Commission imposed upon the bank the requirement of paying the additional 22.5% on top of his salary, he would lose his job there and be forced to file bankruptcy.

Commissioner Ciani asked if the Police Officers' Association had submitted a position paper on the issue and Officer John Ballentine, Police Officers' Association Treasurer, stated that they had not because they weren't actually sure as to what the Commission had in mind.

Commissioner Ciani then stated: "I guess procedurely, we will study it and if any of us want to make recommendations for any change, then it would be a matter for public hearings at that time. We would give notice to all interested parties."

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, - CONTINUED TO MAY 12, 1976.

AYES. Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 175-76

HEARING OF POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION.

WHEREAS, the hearing of Police Officer George Moissant, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George Engler, attorney for Police Officer George Moissant, appeared before the Police Commission and stated that since Officer Moissant is still undergoing medical treatment for his condition that a hearing at this time would be detrimental to his health; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer George Moissant is set for Wednesday, June 2, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES; Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 176-76

HEARING OF POLICE OFFICER GREGORY J. CLONEY, CENTRAL POLICE STATION.

WHEREAS, the hearing of Police Officer Gregory J. Cloney, Central Police Station, was called, it having

been set for this date; and

WHEREAS, Sergeant David Roche, assigned to the Legal Office and Prosecutor in this case, requested a continuance of one week in order to allow him to peruse the facts in this case prior to the hearing; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Gregory J. Cloney, is set for Wednesday, May 5, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee tiling with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Peter Samaras 3369 Kiwanis Avenue Oakland, California	Hugo R. Soto 55 Bepler Street Daly City, California	1

Route: Mission Street - Ferry to Sickles Avenue.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU

Captain Seghy appeared before the Commission and submitted an amended report over the one he had submitted at last weeks meeting.

Commissioner Murphy: "I suggest that we adopt the report and if we continue to have complaints about it then we have to think of something else to do."

Commissioner Ciani: "We have had this matter before us for months and I think we could try it and then look at it again at some time maybe six months from now."

She then recommended that the report be accepted, including her amendments to #3, to include "one or more notices," and #4, "10 business days from date of posting."

AYES: Commissioners Ciani, Gallegos, Hall, Murphy

Commissioner Siggins voted against the Ciani motion.

Regarding the regular traffic items a motion was made to pass the items on recommendations one, two, three and five.

Commissioner Gallegos requested that he be allowed to abstain on number four.

Commissioner Ciani then made a motion to allow Commissioner Gallegos to abstain on item #4.

Commissioner Murphy: "I second it."

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

291 SANTA ROSA AVENUE - MISSION TERRACE PHARMACY

a) At approximately 291 Santa Rosa Avenue, install a 22' green zone, to extend from 10' - 32' east of San Jose Avenue.

1780 - 32nd AVENUE - SUNSET FURNITURE

a) At approximately 1780 - 32nd Avenue, install a 32' yellow zone, to extend south of the north property line.

1590 VALENCIA STREET - ST.LUKE'S HOSPITAL

a) At 1590 Valencia Street, install a 22' white zone, to extend from 26' - 48' north of Duncan Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

225 LINDEN LANE - M.J. KING CONSTRUCTION COMPANY

a) At approximately 225 Linden Lane, install a 25' red zone, to extend from 35' - 60' west of Franklin Street.

Commissioner Gallegos abstained from voting on this item.

261 - 12th STREET - FOREMOST DAIRIES

a) At approximately 261-12th Street, install a 64' yellow zone, to extend from 76' - 140' south of Kissling Street.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 267 feet of yellow and red zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATION OF THE CITY ATTORNEY'S OFFICE FOR SETTLEMENT OF THE CLAIM OF WILLIAM ROBINSON, JR., IN THE SUM OF $20,000 AGAINST THE CITY AND COUNTY OF SAN FRANCISCO - CONTINUED TO MAY 5, 1976

Commissioner Siggins requested this item be put over one more week.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Ciani: "I wanted to go back to item #3 and ask the Chief to comment on the changes in the Inspectors Bureau of which there is something in the paper. Do you have any comments on the creation of this new unit?"

Chief Gain: "Basically, what it amounts to is that Chief McInerney is experimenting with combining the General Works detail with the Homicide detail. The General Works detail investigates assaults and whatever which sometimes result in a homicide. So it makes good sense to consolidate them and not have such a distinct division of labor so you would have people who are investigating homicides in areas of assault. Then the other concept is to free other Inspectors up from a case load based upon numbers of investigative reports using a strike force-like concept so we could identify robberies and other serious crimes and have investigators addressing and trying to resolve those crimes. It's an

informal thing he is doing, obviously because any formal restructure has to come before the Commission so it is experimentation. The goal is to get more productivity and better effectiveness in the investigative function. That's what it amounts to."

RESOLUITON NO. 166-76

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Michael H. Gallagher, Park Police Station, was suspended without pay effective at 0001 hours, Friday, March 26, 1976, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Michael H. Gallagher has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael H. Gallagher, Park Police Station, be placed on Leave of Absence Without Pay at his request for a period of ninety (90) days commencing April 26, 1976, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

APPROVAL OF TRAVEL EXPENSE VOUCHER

Commissioner Ciani stated in regard to this item; "I would like to see some of the ministerial items taken off th agenda because I keep getting complaints from people who say 'I look at your agenda and it's laughable that you've got so many insignificant matters on it,' If we could get these items off , those who look at our agenda wouldn't think that we spend a lot of time doing these things. In connnection with procedure this evening, I think we should arrange the agenda in the future so that the items that are substantive and which involve public comment or people who are present will always be near the top so we don't have to rearrange the agenda at the meeting. Can we do that in the future?"

Commissioner Murphy: "I do think a lot of things are required however, by the Charter, but maybe we should someday, if we can, take a look and see what those minutias are that could be handled administratively so the complex and cumbersome items could be edited out.

Commissioner Ciani: "I think that is a good idea and

I wonder whether if we can have somebody in the Legal Department write to the City Attorney's Office and ask them to report to us which of the things that we customarily have on our calendar could be handled in some other way? Put the burden on them to try to help us clear this up."

Commissioner Hall: "I think at the same time there is a safeguard we ought to keep in mind,if we give prior approval to a person who has been there, (to a conference or whatever) and discover later that the bill of a thousand dollars is objected to, then you will have removed from yourself the opportunity to vote on it being approved. I think we spend more time discussing these things other than it really takes to approve them. I think all we need to do knowing that these things are automatic, and they are calendared every week and knowing that this Mr. Smith or whoever had gone to the meeting, and we are simply approving his expenses, we can say "Aye" and let it go."

Commissioner Ciani: "I suggested before that we have a consent calendar approach which would obviate having to call these items up. Anything that is on a consent calendar would be deemed approved at the end of the meeting unless someone called it up. Perhaps we could ask the City Attorney whether there would be anything wrong with the handling of ministeral things in that manner. They might be in a separate category at the end of the agenda."

Sergeant Roche, Legal Officer, stated that he would take it up with Mr. Stark and Mr. Uell (Deputy City Attorneys). "I can see no problem with a consent calendar, Contingency Fund,things like that, unless somebody, request them."

Commissioner Siggins: "It might not sound like it, but we are trying to save time. Is there a motion to approve the expenditure?"

Commissioner Murphy: "I so move."

Commissioner Gallegos: "I second."

RESOLUTION NO. 167-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR CLARENCE W. SMITH, BUREAU OF INSPECTORS, TO ATTEND THE CALIFORNIA DEPARTMENT OF JUSTICE WESTERN REGIONAL ORGANIZED CRIME TRAINING INSTITUTE AT SACRAMENTO, CALIFORNIA, FROM MARCH 7, 1976 TO MARCH 12, 1976, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of

Police, Inspector Clarence W. Smith, Bureau of Inspectors, received permission from the Police Commission to attend the California Department of Justice Western Regional Organized Crime Training Institute at Sacramento, California; and

WHEREAS, Inspector Clarence W. Smith did travel to Sacramento, California, to attend said Institute from March 7, 1976 to March 12, 1976, inclusive; therefore be it

RESOLVED, that expenses in the amount of $173.49 incurred by Inspector Clarence W. Smith, Bureau of Inspectors, while attending the Institute are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 168-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $4,166 charging same to Appropriation No. 5.161.890.050 to cover narcotic fund disbursements for the month of May, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 169-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $3,333 charging same to Appropriation No. 5.161.890.000 to cover contingent fund disbursements for the month of May, 1976.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 170-76

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department be, and they are hereby granted Awards of Valor, Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Award under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Friday, April 23, 1976:

*Assistant Inspector Gary O. Lemos.....Gold Medal of Valor

*Police Officer Edward G. Buck.....Gold Medal of Valor

**Sergeant Felix W. Buckley.....Silver Medal of Valor

Sergeant Richard R. Racine.....Silver Medal of Valor

Police Officer Larry P. Barsetti.....Silver Medal of Valor

Police Officer George B. Cima.....Silver Medal of Valor

Police Officer Timothy J. Hettrich.....Silver Medal of Valor

Sergeant John C. Kristovich.....Bronze Medal of Valor

Sergeant Paul P. Kurpinsky.....Bronze Medal of Valor

Sergeant John E. Lynch.....Bronze Medal of Valor

Sergeant Mario Tovani, Jr.,.....Bronze Medal of Valor

Assistant Inspector George E. Matelli....Bronze Medal of Valor

Assistant Inspector James J. Molinari....Bronze Medal of Valor

Police Officer Theodore A. Bell.....Bronze Medal of Valor

Police Officer Joseph F. Engler.....Bronze Medal of Valor

Police Officer John J. Forbes.....Bronze Medal of Valor

Police Officer Robert J. Geary.....Bronze Medal of Valor

Police Officer Terry A. Gregory.....Bronze Medal of Valor

Police Officer Steven R. Hansen.....Bronze Medal of Valor

Police Officer Vladimir Kovaleff.....Bronze Medal of Valor

Police Officer John S. Macaulay.....Bronze Medal of Valor

Police Officer Alan B.Mould.....Bronze Medal of Valor

Police Officer George A. Moissant, Jr.,..Bronze Medal of Valor

Police Officer Calvin L.Nutting. . . . . Bronze Medal of Valor

Police Officer Ralph W. O'Bryan.....Bronze Medal of Valor

Patrol Special Officer Samuel J. Reyes.....Bronze Medal of Valor
Inspector John J. Cleary.....Meritorious Conduct Award

Inspector Frank J. Falzon.....Meritorious Conduct Award

*Changed from Silver Medal of Valor to Gold Medal of Valor on recommendation of the Police Commission.

** Changed from Bronze Medal of Valor to Silver Medal of Valor on recommendation of the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 171-76

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Awards Committee, held on Friday, April 23, 1976; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Assistant Inspector Gary O. Lemos and Police Officer Edward G. Buck, be, and they are hereby awarded Gold Medals of Valor and granted a reward of $200 each as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeants Richard R. Racine and Felix W. Buckley, Police Officers Larry P. Barsetti, George B. Cima, and Timothy J. Hettrich,be, and they are hereby awarded Silver Medals of Valor and granted a reward of $100 each as provided for under said section of the Charter; and be it further

Resolved, that Sergeants John C. Kristovich, Paul P. Kurpinsky, John E. Lynch, and Mario Tovani, Jr., Assistant Inspectors George E. Matelli and James J. Molinari, Police Officers Theodore A. Bell, Joseph F. Engler, John J. Forbes, Robert J. Geary, Terry A. Gregory, STeven R. Hansen, Vladimir Kovaleff, John S. Macaulay, Alan B. Mould, George A. Moissant, JR., Calvin L. Nutting, Ralph W. O'Bryan, and Patrol Special Officer Samuel J. Reyes, be, and they are hereby awarded Bronze Medals of Valor

and granted a reward of $50 each as provided for under said section of the Charter; and be it further

RESOLVED, that Inspectors John J. Cleary and Frank J. Falzon, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of $50 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Chief Gain recommended that the recipients and their families be invited to appear in two weeks to receive their awards.

RESOLUTION NO. 172-76

REQUEST TO TRANSFER FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer unallotted funds in the sum of $2,836,085.00 to reserve funds in Appropriation No. 5.161.110.000 000 (Permanent Salaries-Uniformed Force); $1,542.00 from unallotted funds to reserve funds in Appropriation No. 5.161.110.001.000 (Permanent Salaries-Civilian); $2,305.00 from unallotted funds to reserve funds in Appropriation No. 5.161.110.725.000 (Permanent Salaries-Airport); $94,885.00 from allotted funds to reserve funds in Appropriation No. 5.161.111.000.000 (Extra Duty - Uniformed Force); $3,962.00 from allotted funds to reserve funds in Appropriation No. 5.161.111.002.000 (O.T. - Uniformed Force, PYP); and $89,880 00 from unallotted funds to reserve funds in Appropriation No. 5.161.112.000 000 (Holiday Pay-Uniformed Force) for salary and other pay adjustment.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, April 24, 1976, at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	37	36
Daily average for the week disabled	119	128
TOTALS	156	164

This is a decrease of eight (8) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	1.99	1.91
Daily percentage for the week disabled	6.82	7.22
TOTALS	8.81	9.13

Disabled at start of week	130
Started during the week	11
Returned during the week	20
Disabled at the end of week	121
Net Gain or Loss	-9

Sick and Disabled for week ending Saturday March 27,1976 at 2400 hours:		Sick and Disabled for week ending Saturday April 19, 1975 at 2400 hours:	
Daily average for the week sick	64	Daily average for the week sick	56
Daily average for the week disabled	119	Daily average for the week disabled	77
TOTALS	183		133
Daily percentage for the week sick	3.51	Daily percentage for the week sick	2.97
Daily percentage for the week disabled	6.72	Daily percentage for the week disabled	4.24
TOTALS	10.23		7.21

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 165-76

PUBLIC HEARING RELATIVE TO POSSIBLE ADOPTION OF A PROPOSED PLAN GOVERNING POLICE COMMISSION HEARINGS ON THE SAN FRANCISCO BAR ASSOCIATION CITIZEN COMPLAINTS PROCEDURES

WHEREAS, a public hearing relative to the adoption of a proposed plan governing hearings on the San Francisco Bar Association Citizen Complaints Procedures was held; and

WHEREAS, said plan outlines several procedures and six (6) locations have been recommended

for holding Police Commission hearings on the here above-mentioned matter; and

WHEREAS, two of those locations have been questioned by members of the Mission District Community as being somewhat remote; therefore be it

RESOLVED, that the proposed paln, as submitted by Chief of Police Charles R. Gain, governing Police Commission hearings on the San Francisco Bar Association Citizen Complaints Procedures be, and the same is hereby adopted; and be it further

RESOLVED, that said plan is adopted upon the provision of subsequent dates for hearings are yet to be named and two locations are subsequently to be agreed upon at a future Police Commission meeting.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO.174-76

RESOLUTION TO RESTORE THE OFFICIAL FLAG OF THE CITY AND COUNTY OF SAN FRANCISCO TO THE CONFINES OF THE SAN FRANCISCO ROOM OF THE CITY ARCHIVES.

WHEREAS, on the 1st day of May, 1900, at an official review of the San Francisco Police Department, Honorable James D. Phelan, Mayor of the City and County of San Francisco, presented to the San Francisco Police Department the Official Flag of the City and County of San Francisco; and

WHEREAS, said Flag had been preserved in reverent care for fifty-two years by the San Francisco Police Department, but at that time there was no place to properly display it; and

WHEREAS, said Flag is a matter of Historical importance and should be made available to the people of the City and County of San Francisco; and

WHEREAS, on the 11th day of June, 1952, the Honorable Elmer E. Robinson, Mayor of the City and County of San Francisco, was requested by Resolution of the Police Commission, to place the Official Flag of the City and County hereinbefore referred to, in the care of the Society of California Pioneers in order that the Historical value of this Flag be preserved; and

WHEREAS, there is now an appropriate area on the 4th floor of the San Francisco Public Library in the San Francisco Room where the Official Flag may be properly displayed to the people of the City and

County of San Francisco; and

WHEREAS, discussions with the City Attorney's Office reveal that a resolution by the Police Commission is all that is necessary to effectuate a transfer of the Flag from the Society of California Pioneers to the San Francisco Room at the Public Library; therefore be it

RESOLVED, that it is the order of the Police Commission that the Official Flag of the City and County of San Francisco, currently in the care of the Society of California Pioneers, be, and the same returned to the Public Library for public display in the San Francisco Room at the City Archives.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

HEARING OF POLICE OFFICER LOUIS A. GOMEZ, CITY PRISON

The hearing of Police Officer Louis A. Gomez, City Prison, was called, it having been set for this date. Police Officer Louis A. Gomez was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Breach of the Peace (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by J. William Conroy, Captain of Police, Commanding Officer of the City Prison.

Police Officer Louis A. Gomez appeared in person and was represented by Mr. George J. Engler, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Edgar L. Springer
Ingleside Police Station

Sergeant William B. Navin
Ingleside Police Station

Lieutenant Matthew C. Duffy
Ingleside Police Station

Captain J. William Conroy
Commanding, City Prison

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Louis A. Gomez
City Prison

A closing statement was then made by Mr. George J. Engler, Defense Attorney.

At this time, a request was made by the Prosecution to call one more witness, as follows:

Police Officer John F. Devine
Special Assistant to the Chief of Police

The Commission took the matter under submission, and then recessed from 2221 hours to 2237 hours, after which the following resolution was adopted:

RESOLUTION NO. 177-76

DECISION - HEARING OF POLICE OFFICER LOUIS A. GOMEZ, CITY PRISON

WHEREAS, on April 8, 1976, J. William Conroy, Captain of Police, Commanding Officer of the City Prison, made and served charges against Police Officer Louis A. Gomez, as follows:

SPECIFICATION NO. 1

a) That at or about 0025 hours, Friday, 6 February, 1976, a call for assistance was answered by an Ingleside Radio Car at 600 Monterey Boulevard;

b) That at that location the wife of the accused related to the responding officers that the accused had struck her without provocation or lawful authority;

c) That as a result of the allegations made by the victim, the accused was arrested for Section 245 of the Penal Code of the State of California;

d) Because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or conduct within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudical to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 28, 1976, and that on Wednesday, April 28, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charge made and filed against Police Officer Louis A. Gomez, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Police Officer Louis A. Gomez did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Louis A. Gomez has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department and for said violation he shall be suspended for a period of thirty (30) calendar days without pay, commencing Thursday, April 29, 1976 at 0800 hours, and terminating on Saturday, May 29, 1976 at 0800 hours, and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Louis A. Gomez meet

with Police Officer John F. Devine, Special Assistant to the Chief of Police, to see if Officer Gomez needs to join the Police Department's Alcoholic Abuse Program, and that Police Officer Devine submit a report to the Commission relative to his findings.

Recesses taken in the hearing of Police Officer Louis A. Gomez:

2204 hours to 2212 hours
2221 hours to 2237 hours.

Prior to the rendering of the decision in this matter, Commissioner Ciani requested to be excused and did not vote upon this item.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

(The entire proceedings were taken in shorthand form by Hearing Reporter Bob Baldocchi)

RESOLUTION NO. 173-76

PUBLIC HEARING RELATIVE TO POSSIBLE ADOPTION OF PROPOSED RULES GOVERNING POLICE COMMISSION PUBLIC HEARINGS.

WHEREAS, a public hearing relative to adoption of proposed rules governing Police Commission public hearings was held; and

WHEREAS, said rules having been noticed for public hearing in the San Francisco newspaper of general circulation and were made available to the general public for their perusal and subsequent recommendation at said hearing; and

WHEREAS, during said public hearing, there were no recommendations for changes in the general format of the proposed rules; therefore be it

RESOLVED, that the proposed rules governing Police Commission public hearings, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PROPOSED GUIDELINES FOR POLICE COMMISSION HEARINGS.

The Police Commission has the legal respon-

sibility for determining the policies under which the San Francisco Police Department will operate in meeting the policing needs of the City. As appointed representatives of the people of San Francisco, Commission members encourage public participation at Commission meetings. Members of the public shall be given time to address the Commission on matters pending before it at its regular and special hearings; the maximum amount of time to be allowed each speaker shall be determined by majority vote of the members of the Police Commission who are present. An exception to the public participating in Commission hearings shall be disciplinary hearings before the Commission when sworn testimony shall be given only by persons who are under subpoena by the Police Department or by the officer whose hearing is being held.

The following procedure for allowing the public to speak on matters before the Police Commission at Commission hearings shall be followed:

1) "Request to Speak" cards shall be presented to the Secretary of the Police Commission prior to the hearing being called to order. The Secretary shall number the cards in the order in which they are received.

2) All "Request to Speak" cards shall contain the name of the person requesting the right to speak, the group he or she represents, if any, the agenda item to be addressed and whether in favor of or in opposition to it. If a speaker does not designate a pro or con position, the request to speak shall not be granted unless time is available after all pro and con speakers have been heard.

3) The Secretary to the Commission shall sort the requests to speak for each agenda item and report to the President of the Commission the total number of speakers in favor of the item and the total number in opposition to it.

4) Based on the number of speakers, the Commission may, by majority vote, limit the debate for each speaker and for the entire item.

5) The "pro" and "con" speakers shall be alternated until the time for debate has expired, or until all speakers have been heard. The order for each side shall be determined by the order in which "Request to Speak" cards have been received. If time is available, persons who have submitted "Request to Speak" cards but who have not indicated a position on the agenda item will be permitted to speak.

6) If time for debate has expired and all speakers have not been heard, the Commission may:

a) By majority vote expand the time for debate, or

b) Close the public debate and vote on the item being discussed or take it under submission for action at a later date, or

c) Close the debate, but keep the record open until the next regular meeting to allow speakers not heard to submit written comments. Such written comments shall be disseminated to each member of the Commission at least five days prior to the taking of a vote on the item. Prior to voting, Commission members may discuss the item further if such discussion is deemed necessary.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAY
SAN FRANCISCO
PUBLIC LIBRARY

4 MAY 1976 SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Tuesday, May 4, 1976 at 1800 hours, in Special Session.

PRESENT: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the Special meeting of April 12, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

CONTINUATION OF THE HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER DANIEL J. O'SHEA, NORTHERN POLICE STATION.

The matter of the appeal of suspension of Police Officer Daniel J. O'Shea, Northern Police Station, was called, it having been continued from the special meeting of Monday, April 12, 1976, to this time and date.

Police Officer Daniel J. O'Shea appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Chief of Inspectors, Captain Mortimer F. McInerney, acted as Prosecutor.

The following-named witness appeared for the Prosecution, was sworn and testified:

Sergeant Robert Spotswood
Internal Affairs Bureau

The following-named witnesses appeared for

the Defense, were sworn and testified:

Lieutenant Richard B. Klapp
Police Academy

Officer William J. Kelly
Northern Police Station

The following-named witness was called by Chief of Inspectors, Captain Mortimer F. McInerney, pursuant to Section 11513 of the California Government Code:

Officer Daniel J. O'Shea
Northern Police Station

Chief of Inspectors, Captain Mortimer F. McInerney, presented closing argument on behalf of the Prosecution.

Mr. Stephen Bruce Bley, Attorney at Law, presented closing argument on behalf of the Defense.

At the conclusion of the testimony, the Police Commission recessed from 2252 hours to 2315 hours, after which the following resolution was adopted:

RESOLUTION NO. 178-76

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER DANIEL J. O'SHEA, NORTHERN POLICE STATION

WHEREAS, Police Officer Daniel J. O'Shea, Northern Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of one (1) working day, effective 0001 hours, Sunday, December 14, 1975, and terminating 0001 hours, Monday, December 15, 1975; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Daniel J. O'Shea, Northern Police Station, did file with the Secretary of the Police Commission a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Monday, April 12, 1976,

and on Tuesday, May 4, 1976, and on Tuesday, May 4, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Daniel J. O'Shea are sustained by the evidence presented at the hearings held on April 12, 1976 and May 4, 1976, and that Police Officer Daniel J. O'Shea violated Section 2.49 of the Rules and Procedures of the San Francisco police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of Police Officer Daniel J. O'Shea, Northern Police Station, from duty without pay for one (1) working day, effective 0001 hours, Sunday, December 14, 1975, and terminating at 0001 hours, Monday, December 15, 1975, be, and the same is hereby affirmed and approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Recesses taken in the hearing of Police Officer Daniel J. O'Shea:

2012 hours to 2025 hours
2252 hours to 2315 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

CONTINUATION OF THE HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER WILLIAM J. KELLY, NORTHERN POLICE STATION

The matter of the appeal of suspension of Police Officer William J. Kelly, Northern Police Station, was called, it having been continued from the special meeting of Monday, April 12, 1976, to this time and date.

Police Officer William J. Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Chief of Inspectors, Captian Mortimer F. McInerney, acted as Prosecutor.

The following-named witness appeared for the Prosecution, was sworn and testified:

Sergeant Robert Spotswood
Internal Affairs Bureau

The following-named witnesses appeared for the Defense, were sworn and testified:

Lieutenant Richard B. Klapp
Police Academy

Officer William J. Kelly
Northern Police Station

The following-named witness was called by Chief of Inspectors, Captain Mortimer F. McInerney, pursuant to Section 11513 of the California Government Code:

Officer Daniel J. O'Shea
Northern Police Station

Chief of Inspectors, Captain Mortimer F. McInerney, presented closing argument on behalf of the Prosecution.

Mr. Stephen Bruce Bley, Attorney at Law, presented closing argument on behalf of the Defense.

At the conclusion of the testimony, the Police Commission recessed from 2252 hours to 2315 hours, after which the following resolution was adopted:

RESOLUTION NO. 179-76

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER WILLIAM J. KELLY, NORTHERN POLICE STATION

WHEREAS, Police Officer William J. Kelly, Northern Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of five (5) working days, effective 0001 hours, Monday, December 15, 1975, and terminating 0001 hours, Saturday, December 20, 1975; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department Police Officer William J. Kelly, Northern Police Station, did file with the Secretary of the Police Commission, a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Monday, April 12, 1976,

and on Tuesday, May 4, 1976, and on Tuesday, May 4, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer William J. Kelly are sustained by the evidence presented at the said hearings held on April 12, 1976 and May 4, 1976, and that Police Officer William J. Kelly violated Sections 2.13 and 2.49 of the Rules and Procedures of the San francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of Police Officer William J. Kelly, Northern Police Station, from duty without pay for five (5) working days effective 0001 hours, Monday, December 15, 1975 and terminating 0001 hours, Saturday, December 20, 1975, be, and the same is hereby affirmed and approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Recesses taken in the hearing of Police Officer William J. Kelly:

2012 hours to 2025 hours
2252 hours to 2315 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS

MAY 1 7 1976

SAN FRANCISCO
PUBLIC LIBRARY

5 MAY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 5, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of April 28, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I have two things I would like to report on. One is the Bar Association's proposal in regard to Citizen's Compliant review. I would like first to have Deputy Chief DeAmicis inform you of the status of our plan. He has a comparative chart to give to you showing our present Internal Affairs Bureau procedures and the Bar Association proposal procedures and then there is the matter of determining in regard to two schools, and he can report on that."

Deputy Chief DeAmicis: "If you recall, we had set up that we would have one meeting here at the Hall of Justice and five schools throughout San Francisco. There was some question last week as to the schools selected and why they were selected. Gallileo High School for one was selected because it would serve the North Beach, Marina and Chinatown area. Herbert Hoover Jr., High School was selected because it would serve the Sunset. Portola Jr. High was selected because it would serve the Bayview District. Anza Elementary School at 40 Vega, that is the street that some people don't know too well, that's behind Sears and that was selected for the people in the Haight, the Western Addition and the Richmond District. The big question came as to why James Lick Jr., High School was selected at 1220 Noe Street. That was selected because it would serve the people in the Mission and the people in the Castro area, also, parking happens to be very good there at night. We did have a request from one of the people here last week, that we select in lieu of that school, the school in the vicinity of Valencia, 16th, Army and Bryant. Therefore, I changed

the school from James Lick to Horace Mann Jr., High at 23rd and Bartlett and that sets right in the middle of that area that was designated. I understand from talking with the Chief that you have selected the 22nd of May as one of the first dates. I would like to advise you that when you do select days, I must notify the school department ten days in advance so that I can lock in those schools. As further follow-up, we will tape these proceedings, we will follow the Commission's approved procedures for taking public testimony and the comparison chart that you have before you now is a rough comparison of how complaints move through the present procedure and how they would move through the Bar Association procedure. There will also be a written point by point comparison that will be available next week that will go along with that."

Chief Gain: "If I may Mr. President, one of the things that we did in regard to the Bar Association Proposal, as part of our planning process, we requested the City Attorney to review the proposal from a standpoint of the legality of establishing a Citizen's Complaint Board. We had hoped to get their response by today but we have a letter from them, a copy of which you have stating that the question will involve extensive research and for that reason we will be unable to complete the statement required for today, and that they will render the Opinion as soon as research is completed. We don't know at this point when we will get that Opinion. I am told that perhaps we will get it next week. But not knowing precisely when we are going to get that Opinion I would recommend to the Commission that the date of May 22, be deferred and that we not set a date at all until,in fact, we did get that Opinion and then the Commission could obtain the Opinion and see what the implications may be at that time. It may be premature now to set a date and hold hearings on the Bar Association Proposals and discuss its contents."

Commissioner Siggins: "I hear from discussions that the legal issues are sort of complex and I would rather have a good opinion and have a better ground in which to start."

Commissioner Gallegos: "I would think that we should notify the Bar and any other group. I know the POA specifically asked for dates last week and we should communicate with them on whatever actions we contemplate."

Chief Gain: "We will notify the Police Officers' Associations, the Police Incidents Group, and the Bar Association of course, and anyone else that may be involved."

Commissioner Siggins: "Chief DeAmicis, we hadn't published the date of May 22, so we will see if we can bring it up next week regarding a date."

Chief Gain: "We can calendar it for next week so that we can continue the discussion of it and I will report to you next week. Of course, as soon as we receive a copy of the City Attorney's report, a copy will be sent to you."

Commissioner Murphy: "Will there be any problems in getting the schools after the school terms are over?"

Deputy Chief DeAmicis: "No, I have been advised by the School Department that we will be able to get schools year round."

Commissioner Ciani: "Did you look into the locations that were suggested as opposed to the Lick School, there was a private building....."

Deputy Chief DeAmicis: "The Lulack Center, I did not look into that location, I preferred to keep it at public schools because, very frankly, those are considered neutral grounds and have no poliitcal implications."

Commissioner Murphy: "There also is one question about the school in back of Sears. The Anza School, because it was presumably so far away from the Haight. It really isn't very far away."

Deputy Chief DeAmicis: "No, it isn't, it is approximately ten blocks away from the center of the Haight."

Chief Gain: "As I recall, the Commission directed us to explore that and it would be up to my discretion after we explored it and of course, we would confer with Mr. Rodriquez and we've been unable to contact him, but we have designated these sites for further discussion next week. If I may, the other thing I would report is that Monday night, we were at a meeting, the first meeting of the Women's Advisory Council to the San Francisco Police Department. Judy Green is here, she is one of the two conveners of the meeting. She,along with Mary Vail and with your approval, I would like to have Judy Green give a report of how the idea of the Council came about and what transpired during the meeting."

Judy Green: "The item I have given you is a position paper on the Women's Jail Study Group and the reason I give this to you is that I am a member of the Women's Jail Study Group along with the Citizen's for Justice, and I want to explain how the idea of Women's Advisory Council for the Police Department came about. And although it is now sponsored by the Women's Jail Study Group, the three members have convened during the hours of the Women's Jail Study Group. The Study Group's involvement in the Sheriff's Department is part of the history by which they devised the Advisory Concept. It is a group of women, eight women's groups, it has been in existence for over a year and its primary focus has been in the Sheriff's Department for the women's jails. We've met for a series of maybe for a period of four months talking about various issues involving women as criminals and women as victims of crimes and women in

law enforcement feminist issues wherever they are found in the Criminal Justice System, we approached the Sheriff's Department with a series of proposals regarding the treatment of women in that system and we've been welcomed by the Sheriff and we began doing research within the Department about how to handle the women defenders in prison. We approached him about the visiting situation there and that was when the problems that showed us most needed to be changed surfaced right away. Women at that time were visiting with their children and their families through the screen in the little teeny window. They didn't have any personal contact with their children and we felt that that should change and in conjunction with the person to do that, the Sheriff introduced us to his Undersheriff, who was Charles Gain and he went to work and had the lieutenants, captains, chiefs and officers, working out a contact visit process for the women's jail. It was successful and we became more closer to Chief Gain and to have a lot of respect and trust. We continued and are still continuing to work in the Sheriff's Department. We are planning a women's work and education furlough program as one alternative to incarceration in the jail. In January, when the Mayor named Undersheriff Gain Chief of Police, we were happy and very interested in what his job would be, what the police department was like, how it related to women, women in the community, women as police officers, women arrestees,we were particularly interested in areas of prostitution and also in recruitment, training, training of the men officers, also as pertaining to issues that affect women in the community. We began meeting with Chief Gain in January and also spending time with groups of women in the Community who were organized around these issues and who has an interest in the police department. The more we talked to Chief Gain and the more we talked to women in the community, we felt that some sort of an advisory council, some one who would bring in the attitudes of the community into the police department, would be a positive thing. So we sent out a letter to 36 women, inviting them to a meeting last night and 29 women were at the meeting. We received communications from four other women who were invited saying they would be at the next meeting. We invited women whom we felt represented the interest of a broad range in San Francisco. There were two areas that they were very interested in. They were very interested in training as well as in recruitment of police officers. They also expressed a lot of interest in crime prevention and talking to groups that are interested in crime prevention quite soon. The meeting lasted for approximately two hours and every one seemed anxious to meet again, so we set another meeting in two weeks. Men and women also who are in the police department are welcome to attend these meetings."

Chief Gain: "Thank you Judy. The purpose of informing you of the Council is so that you will know of some of the things that are taking place, and a great many things have been done. There will be status reports, the Women's Jail Studies group has for example researched the Misdemeanor Citation program and it will be presented to the Commission in due time. I suggest a revision of that. So there will be status reports. I feel very

grateful for all of the work they have done. It has been very good, and another reason for doing this of course, is to inform you of some of the activity the staff has undertaken."

POLICE COMMISSION DISCUSSION RELATIVE TO FAMILY CRISIS INTERVENTION PLAN.

Officer Frank Rackley, San Francisco Police Academy: "What I have today, is a proposal, and I will pass out copies shortly. What we are going to be talking about today is a proposal for preventing or reducing domestic violence. We have developed this draft for the Police Commission and for the Chief. What it is going to provide is an overview of domestic violence nationally and locally. It will take a look at some of the programs that have been attempted to control this problem or at least begun to handle this problem nationally and locally and we will also talk about what is going on in San Francisco as far as the amount of violence in our police time in handling these situations, and what percent of the patrolman's time is actually used in domestic violence-type situations. Also, we feel that which is of great importance is a recommended program for reducing the incidence of family violence which closely integrates the police department with community resources in a program which we feel has a great deal of merit."

Officer Rackley then introduced Dr. Christopher Hatcher, U.C. Langley Porter, Dr. Sonny Everstine, Emergency Treatment Center, Palo Alto, Co-Director and Arthur Boden, also Co-Director of the Emrgency Medical Treatment Center in Palo Alto. All spoke on the various aspects of the proposal and the general efforts of their Task Force.

Afterwards, Officer Rackley stated, "Our goal today, primarily is to describe the program for your information and as well as to distribute information. What we are seeking from you is your approval to make a more substantive proposal to continue the research so that we have the adequate background to, in fact, make a final proposal. I feel that where we are now is what we can do in terms of preliminary research."

Commissioner Murphy suggested another meeting with Officer Rackley, Dr. Hatcher, Dr. Evenstine, Mr. Boden, Chief Gain, and any other appropriate persons before the Commission makes a final decision in this matter.

RESOLUTION NO. 181-76

STATUS REPORT IN THE MATTER OF SERGEANT WILLIAM T. LOGAN, NARCOTICS BUREAU

WHEREAS, the status report in the matter of Sergeant William T. Logan, Narcotics Bureau, was called; and

WHEREAS, on Friday, April 30, 1976, Sergeant William T. Logan was sentenced by Honorable Alfonso Zirpoli, Judge of the District Court for the Northern District of California, for violation of two serious felonies; and

WHEREAS, because of said sentencing, the disciplinary charges by the Department against Sergeant Logan must be immediately resolved; therefore be it

RESOLVED, that disciplinary charges filed against Sergeant William T. Logan, on Saturday, April 3, 1976, will be heard on Friday, May 7, 1976, at 1600 hours, in the Police Commission Hearing Room, Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 180-76

STATUS REPORT IN THE MATTER OF INSPECTOR GEORGE T. POHLEY, NARCOTICS BUREAU

WHEREAS, the status report in the matter of Inspector George T. Pohley, Narcotics Bureau, was called; and

WHEREAS, on Friday, April 30, 1976, Inspector George T. Pohley was sentenced by Honorable Alfonso Zirpoli, Judge of the District Court for the Northern District of California, for violation of two serious felonies; and

WHEREAS, because of said sentencing, the disciplinary charges by the Department against Inspector Pohley must be immediately resolved; therefore be it

RESOLVED, that disciplinary charges filed against Inspector George T. Pohley, on Saturday, April 3, 1976, will be heard on Friday, May 7, 1976, at 1600 hours in the Police Commission Hearing Room, Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 182-76

HEARING OF POLICE OFFICER GREGORY J. CLONEY, CENTRAL POLICE STATION.

WHEREAS, the hearing of Police Officer

Gregory J. Cloney, Central Police Station,was called, it having been set for this date; and

WHEREAS, Police Officer Gregory J. Cloney submitted a letter to the Police Commission requesting a continuance of two weeks in this matter in order that he may secure legal counsel; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Gregory J. Cloney is set for Wednesday, May 19, 1976 at 5:30 pm., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

MR. J. WILLIAM ROBERTS RE REQUEST FOR PUBLIC CONVENIENCE AND NECESSITY PERMITS

Mr. Roberts appeared before the Commission and briefly discussed his proposal for the operation of certain innovative Public Convenience and Necessity Vehicle for Hire Permits.

Commissioner Murphy stated that the Commission would like to have his proposal in a written presentation. For example, how he would finance it, who would be responsible, what kind of insurance would he carry, the kind of service he would provide immediately as in contrast as to what might develop in the future. Also if there would be other kinds of permits needed if the proposed operation called for some kind of charitable contributors. She further stated that the items called for above would be very helpful and the logistics of how he intended to do it, given in a succinct manner, would expedite the Commission's analysis of his proposal.

RESOLUTION NO. 183-76

FRANK O. BARCUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank O. Barcus against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 12, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 184-76

BENJAMIN F. BLOUNT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin F. Blount against the City and County of San Francisco in the sum of $45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 185-76

ROBERT A. CIREMELE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert A. Ciremele against the City and County of San Francisco in the sum of $239.08 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 186-76

SHIRLEY B. ERGONENC

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shirley B. Ergonenc against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 187-76

ROBERT W. DANIELS II

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert W. Daniels II against the City and County of San Francisco in the sum of $153.99 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 188-76

DAVID R. FRANK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David R. Frank against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 189-76

PAULA S. HERLICY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paula S. Herlicy against the City and County of San Francisco in the sum of $23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 23, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 190-76

CHARLES LA CHAPELLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles La Chapelle against the City and County of San Francisco in the sum of $18.99 as the result damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 191-76

LUXOR CAB COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luxor Cab Company against the City and County of San Francisco in the sum of $167.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 27, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 192-76

LUXOR CAB COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luxor Cab Company against the City and County of San Francisco in the sum of $333.88 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 14, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 193-76

CHARLES L. ROBERTSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles L. Robertson against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 194-76

CHRIS D. ROMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris D. Roman against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 195-76

STEPHANIE L. SALES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephanie L. Sales against the City and County of San Francisco in the sum of $30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28 to February 3, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 196-76

DALE CHARLES WATAZYCHYN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dale Charles Watazychyn against the City and County of San Francisco in the sum of $498.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 2, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 197-76

YUE SEE CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yue See Chan against the City and County of San Francisco in the sum of $60.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 8, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 198-76

KENNETH P. SECOR

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Action No. 320-796, in the sum of $12.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 1, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 199-76

WILLIAM ROBINSON, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of William Robinson, Jr., in the sum of $20,000 in Superior Court Action No. 597-236 entitled "William Robinson, Jr., vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 13, 1968

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, May 1, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	48	37
Daily average for the week disabled	123	119
TOTALS	171	156

This is an increase of fifteen (15) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.64	1.99
Daily percentage for the week disabled	7.02	6.82
TOTALS	9.66	8.81

Disabled at start of week	117
Started during the week	17
Returned during the week	8
Disabled at the end of week	126
Net Gain or Loss	+9

Sick and Disabled for week ending Saturday April 3, 1976 at 2400 hours:

Daily average for the week sick 50

Sick and Disabled for week ending Saturday April 23, 1975 at 2400 hours:

Daily average for the week sick 56

Daily average for the week disabled	127	Daily average for the week disabled	72
TOTALS	177		128
Daily percentage for the week sick	2.72	Daily percentage for the week sick	2.97
Daily percentage for the week disabled	7.19	Daily percentage for the week disabled	3.96
TOTALS	9.91		6.93

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS

MAY 17 1976

SAN FRANCISCO PUBLIC LIBRARY

7 MAY 1976 SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Friday, May 7, 1976 at 1600 hours, in Special Session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the Special Meeting of May 4, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 200-76

SERGEANT WILLIAM T. LOGAN, NARCOTICS BUREAU

WHEREAS, Sergeant William T. Logan, Narcotics Bureau, was suspended without pay by Chief of Police Charles R. Gain, from Saturday, April 3, 1976 at 0001 hours, and terminating on Wednesday, April 14, 1976 at 2400 hours, pending hearing before the Police Commission on charges to be filed against him; and

WHEREAS, on April 6, 1976, Sergeant Charles E. Hoenisch, Acting Commanding Officer of the Narcotics Bureau, made and served charges against Sergeant William T. Logan, reading as follows:

SPECIFICATION NO. 1

Conviction of a felony (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

WHEREAS, the Police Commission set Friday, May 7, 1976, as the date for the hearing on charges

filed against Sergeant William T. Logan; and

WHEREAS, Chief of Police Charles R. Gain was informed of the retirement of Sergeant William T. Logan, said retirement effective May 6, 1976 at 2400 hours, which retirement notification was received with the condition that the services of Sergeant William T. Logan have been unsatisfactory, and that he does not retire in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Sergeant William T. Logan, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 201-76

INSPECTOR GEORGE T. POHLEY, NARCOTICS BUREAU

WHEREAS,Inspector George T. Pohley, Narcotics Bureau, was suspended without pay by Chief of Police Charles R. Gain, from Saturday, April 3, 1976 at 0001 hours, and terminating on Wednesday, April 14, 1976 at 2400 hours, pending hearing before the Police Commission on charges to be filed against him; and

WHEREAS, on April 6, 1976, Sergeant Charles E. Hoenisch, Acting Commanding Officer of the Narcotics Bureau, made and served charges against Inspector George T. Pohley, reading as follows:

SPECIFICATION NO. 1

Conviction of a felony (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

WHEREAS, the Police Commission set Friday, May 7, 1976, as the date for the hearing on charges filed against Inspector George T. Pohley; and

WHEREAS, Chief of Police Charles R. Gain was informed of the retirement of Inspector George T. Pohley,

said retirement effective May 6, 1976 at 2400 hours, which retirement notification was received with the condition that the services of Inspector George T. Pohley have been unsatisfactory, and that he does not retire in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Inspector George T. Pohley, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

The Commission then adjourned its meeting.

SECRETARY

12 MAY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 12, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

DOCUMENTS
JUN 1 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of May 5, 1976 and the Special Meeting of May 7, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I would like to comment on a couple of items, one, we have given to you today, a summary of crime for the month of April 1976, which shows that in April this year, as compared to March this year, we have an 8% decrease in the total volume of crime. A substantial decrease in murder, rape, a decrease in robbery, burglary and larceny. However, we had increases in automobile thefts, some 200 in April over that in March and also for aggravated assaults. We feel that in regard to the increases in auto thefts, and also in bicycle thefts, it is probably attributable to the strike situation for lack of transportation. Why we had decreases in the other crimes, of course, we don't know. But I feel as of the 8% decrease and the volume of crime probably is attributable to the result of the phenomenon of the strike. It does occur that when we have a strike within a city that the total volume of crime goes down for reasons unknown so we are not claiming credit. As you can see by the chart, of the five year period, that whereas the actual offense line has been going basically up, at least during April there is a downward trend. And, of course, that was during the period of the strike. We would hope of course that the downward trend would continue but our only future experiences would prohibit straight facts of what will happen. Do you have any questions or comments?"

Commissioner Murphy: "Do you think it could be possible that the Crime Specific Task Force is showing this kind of result?"

Chief Gain: "No. Our feeling is..... we know this that as far as resources are concerned that each day we find ourselves with fewer personnel. We now have 147 vacancies. We have 71 vacancies in the rank of patrolman, 49 sergeants vacancies, and so on. So as far as personnel is concerned, it is getting more severe all the time and I anticipate we are going to be confronted with that situation for months to come with fewer personnel because of retirements and because of hiring freezes."

Commissioner Murphy: "What was the total number of vacancies?"

Chief Gain: "About 147 as of Monday. There are more now because of retirement. When it comes to a crime for example, such as murder, where we have a 42% decrease in one month, there is no way at all the decrease has an influence in regard to murder in arrest of street types. It is interesting with the crime of rape that there is a 28% decrease and what I speculate is that given the strike and the increased hitchhiking that you might have more, but that didn't occur. It went just the opposite way. So we really can't assign causes we don't know, but we do relate it to the phenomenon of the strike, because that can occur. Past history has shown that when there has been riots within a city, within cities, during past years, that during times of riot the overall body of crime goes down for some reason. So, whatever the reasons, we do have these decreases. And of course, it is understandable I think in regard to the 205 vehicles stolen in April as compared to March and the increase in bicycle thefts of 30 by actual number would be a matter of persons seeking transportation."

Commissioner Ciani: "I have a question about why you catagorize these grand theft and petty theft crimes in this way. I thought that those catagories were related to the value of the property stolen. Why do these pick pocket, purse snatches, etc., line up this way under grand theft and petty theft?"

Chief Gain: "By law, the act of picking a pocket and snatching a purse is a more serious crime, it is grand theft by definition of the law and that is why they are catagorized that way."

Commissioner Ciani: "So those terms don't relate to the value of the property involed in the cime?"

Chief Gain: "No. Regardless of value, the other numbers of grand theft of course is a value item, over a certain amount is grant theft and petty theft is under a certain amount

according to state law that is why they are catagorized in that way. Taking or snatching a purse without regard to value is a serious crime."

Commissioner Ciani: "How often will we get this report?"

Chief Gain: "Monthly. We are endeavoring to do a more in depth analysis of crime as demonstrated by the report this month and the report we had last month. And in the future we want to hve a more in depth analysis. For example, now, because arrest figures and current figures come in late, we can't include them in this report, but in the future, we hope to give you a copy of the incident reports so that you will know what number of arrest were made during a given month compared to the previous month, year to date compared to last year to date. So we will be doing this every month. That is why I would identify this as a Crime Index Offense Summary for April, so I will have that for every month in the year."

Commissioner Ciani: "Could you relate this to the Crime Specific Task Force in any way?"

Chief Gain: "Not that we know of, no. We know that in regard to the Crime Specific Task Force that in specific geographical areas where they work, it was dramatically demonstrated, for example, in February, we had decreases in strongarm robbery and purse snatches which we contribute to their work because the areas where they worked, there had been these crimes and they have increased, though when it comes to the overall increase in volume here, no, we can't at this time contribute it to them. There will be more analysis and we will know specifically what they did accomplish. But they were not responsible for the decreases as shown here overall, some parts perhaps, but we don't have an analysis as yet."

Commissioner Ciani: "Are you planning to make another report on the progress of the Task Force?"

Chief Gain: "Yes, we don't have a target date for it. Right now we have decreased the the numbers of the task force and we will probably be needing to somewhat tenuously be decreasing numbers because as we realize vacancies in the patrolman rank now at 71 and those officers are coming basically from district stations. So, we are finding ourselves taking men from the Task Force and putting them into the district stations. So we can see the day perhaps relatively soon where the Task Force will be reduced perhaps to 50 or 60 personnel, which will be to the absolute minimum because that will include the Horse detail, the Bomb Squad and a few other intrigal functions in the Task Force that are stable. But as far as additional numbers of patrolmen being put there, there was 150 Inspectors or whatever, now it is down to about 120, so we are continuously having to transfer them out.

The principle being in the policing business is that the first thing that we have to do is to insure that with the resources we have is that we do assign them to respond to call for services 24 hours a day to specific geographical areas of the city. So, if we get short of personnel we are not going to have a Task Force to assign to these geographical areas that are experiencing serious crime unfortunately. And during our severe problem we are having in manpower, which is going to worsen, we are going to be in dire straights as far as providing the quantity of services as we have heretofore. It's a budget matter because of the financial contraints of the city. So our obligation would be of course, which we will endeavor to fulfill, is to provide the most effective and efficient services that we can given the resources we have."

Commissioner Murphy: "I noticed on the big 19 that there were several rapes reported that occurred in doorways and really almost on the street, if not actually on the street, and I wondered if you had any more patrolmen on the street that might also account for a little bit of this decrease in the number of rapes."

Chief Gain: "It might."

Commissioner Murphy: "We would know for example, next month, if crime decreases again that the decrease is not due to the strike, it would be for some other reason, would it not?"

Chief Gain: "We are only speculating now that the only variable that we can identify for the month of April was the strike. We had the Task Force and the police personnel, we were doing the same things, the weather was about the same, etc., so that was a variable of the strike. So that is why we kind of attribute it to the strike. We just don't know. That is the nature of the business, now if it goes down this month, then we will get our different reasons for it. The idea, I suppose, would be to have a more law abiding citizenry."

Commissioner Siggins: "Chief, on this summary that we have here, is it taken on the same thing as that Cable printout that we have been receiving?"

Chief Gain: "It is not the same thing, but it is in more detail than the Cable summary. The Cable summary left out certain parts. It left out thefts under $50."

Commissioner Siggins: "Then this is really a much more workable thing for the lay person to look at."

Chief Gain: "Oh yes, what we tried to do, as you can see there, there is much more detail in breakdown here. As I recall, Cable summary had the principle catagory of Murder, Rape, Robbery, Burglary, but it didn't have the sub-catagories. So that we now can look at the sub-catagories and find out whether it's a burglary of an apartment house, hotel, residence, store or whatever, so it gives us more information. We are now distributing these to district stations so that Captains and other personnel in the districts will know what the crime experience has been."

The other thing that I wanted to comment on, we haven't discussed it here, as you know we have been evaluating functions in order to insure to the extent that we can that our policemen are out on the street as opposed to other type activities. Hence, we have been evaluating P.A.L., the Fishing Program and Camp High Sierra and it has been in the Newspaper and I just wanted to relate it to you and answer any questions you may have. These programs are worthwhile and what it really amounts to, Camp High Sierra for example, has been in effect since about 1969, but it has required the full time assignment for one month of about six police officers who have to come from off the street for one month and there are different officers each week. The fishing program heretofore has involved about 2 or 3 sergeants about three patrolmen off the street to engage in a fishing program. Now what we have explored with Camp High Sierra, is to get volunteer policemen to participate. We talked with the Police Officers' Association and that Association was willing to undertake the task which I feel was very commendable, of seeking volunteer policemen to go to Camp High Sierra. In fact, they were going to pay them some money as a salary if the policemen would take vacation time or compensatory time and volunteer for a week. We found however, in talking to the Marine Corp., which has worked properly with the police department in running Camp High Sierra, that their Charter is as they call it, requires not only a full commitment of the police department, but the assignment of on duty personnel,hence, they cannot under the present Charter, engage in the program if the personnel is voluntary because they would not be insured because their commitment runs up into the thousands of dollars and many personnel. They could not be assured that if there were volunteer policemen going up there as opposed to being assigned, that they would each day have the required number or perhaps that those who volunteered to go up would remain there. Those are the unknowns. So, in talking with the Marine Corp., persons involved, they cannot engage in the program with volunteers. I feel we cannot afford to take six persons off the street, policemen, because of our dire need to provide basic police services. Hence, we are now talking to an organization known as the Guardsman and they are involved in worthwhile activities such as sending children to camps. And it appears that the Guardsman are willing to undertake sending the youth to camp and it will not involve policemen. The Police Department may well be involved in identifying the youths who would go and then the Guardsman would take over getting them to the Camps and all of that program. So, in a word then, it would get the on duty police out of the business of doing that.

In regard to the fishing program, the Police Officer's Association have again volunteered to undertake the recruiting of police officers on a volunteer basis so that we will not have to assign two or three sergeants and patrolmen on duty. So, in a word then, although the programs are worthwhile, I've spoken about the present personnel restraints in trying to get volunteer policemen to PAL., to POA or to get private organizations such as the Guardsman involved so that you don't have to send on duty policemen. We might have one staff member in the Community Relations Unit or two perhaps, to be the ones who would relate to community groups to determine which youth would go to the summer camp programs through the auspices of the Guardsman. Once a youth is identified, then the Guardsman would be the ones who would identify what camps they would go to and so on. So the police involvement would stop at the point perhaps of identifying who would go in cooperating with the Guardsman. So no policemen would be going out of the City or anywhere involving Camp Activities. What it amounts to is that under the Guardsman 400 younsters would go for two weeks at a cost of approximately $25,000 and under the Camp High Sierra figures, 400 went for one week at a cost of about $25,000. The Camp High Sierra figures 400 for one week does not include the Marine Corp., cost and the wages paid police personnel. In a word, the numbers may be less, we won't know yet. And we are still exploring with that as to what the net result is going to be, but the essential factor, the determining factor in my judgment is our ability,.... can we afford to assign on duty personnel which with the fishing program plus Camp High Sierra would be about 12 policemen who would come off the street. Ten policemen would staff a car for example or a beat."

Commissioner Ciani: "I am wondering whether there is some middle ground so that you could increase the total number who will have this camp experience by taking advantage of the fact that there may be policemen who would do it on a volunteer basis. Would that increase the number that the Guardsman would take?"

Chief Gain: "That's a good idea, but what I am told is that getting policemen to do it on a strictly volunteer basis is not much of a potential, at all, on a strictly volunteer basis. That's been the experience I am told in the police department, very difficult, particularly in the Camp High Sierra Program where an officer would be there for one week which would require that he take vacation time or compensatory time to do that. That's quite a sacrifice in fact. Now the fishing program of course, amounts to policemen, if they volunteer for that, being there from 6 o'clock in the morning on a given day to 2 o'clcock in the afternoon. A short term relation. So the Fishing Program, I don't think we have a problem at all. The POA is going to do the recruiting."

Commissioner Siggins: "It appears that you are giving it up."

Chief Gain: "We are really not giving it up, what we hope to do now in regards to that civilian sell, which is really to have them be the ones that would take care of sending the youths to the Camps. So the youths are still going to go. It may be a question of what numbers go as compared to what numbers went to Camp High Sierra. So right now it is not a matter of giving up, it is just trying to work men on a volunteer basis and really get us out of the business of on duty police personnel going to these camps and being involved full time, we simply can't afford it."

Commissioner Ciani: "How were the youth that the police department has previously channeled into this Camp High Sierra selected?"

Chief Gain: "Oh I don't know what detail, I think it has been from neighborhood....Community Relations Bureau has done it. A sergeant has been involved and a patrolman, and it has been going on for a number of years now, I think they relate with Community Groups, basically to the poor and underprivileged children. So they have numbers of names of groups now that they have been relating to so that is how the names are acquired. I have had all of the in depth knowledge on it."

Commissioner Murphy: "Would this take the place of the Guardsman on going program, which of course, they have been doing for years too?"

Chief Gain: "It would be right within the framework of that on-going program. They would assume this responsibility as a part of their on-going program."

Commissioner Hall: "Have you explored the possibility of involving retired policemen in the program to keep it going? I would like to keep the program going but also relate it to the police department. What about the Community workers in the Community Relations in the Districts?"

Chief Gain: "That was discussed, bringing in retired policemen and I don't know as to what extent that has been explored. We've also entertained as an alternative, our police reserve personnel. They are going to be queried as to whether they would be willing to volunteer."

Commissioner Murphy: "How about PAL activities?"

Chief Gain: "Well PAL activities are going to be on going, we are just evaluating how many persons are in that program. One facet of the PAL operation that we are exploring right now is in the Chinese Community there is a recreation center that is provided by private concerns, they pay the rent, they furnish the facilities and we have had since about 1969, a patrolman assigned full time to that which is basically a recreational activity. So now we are evaluating the appropriateness of that type of assignment because the in-

dividual who has been working in it is retiring. We are evaluating the worthwhileness of it for that recreational center is only two or three blocks from the District Station. So we just evaluate whether that should go on or not in a very objective and open minded way, not with the thought of ending it, but with the thought that it is a private recreational center and is it appropriate and worthwhile to have a full time police person assigned there."

Commissioner Ciani: "Chief, would it be possible for some of the Cadets to meet the objections of the Marine Corp?"

Chief Gain: "Not the Marine Corp., I talked with the Colonel this afternoon and according to the Charter as they identify it in which it has approval from Washington, D.C., Marine Corp. Headquarters, that it has to be sworn, full time police officers involved in that program and the way it stands with the Colonel, I might call him back tomorrow at about 10 as to whether we are going to continue with them, but it appears now that we simply cannot, because of personnel restraints. And I am not saying at all by this that the youth aren't going to benefit by Camp experience because I think they will with the Guardsman there may be perhaps a question of number. Presumably what the Guardsman would do is, they would take over the solicitation of private businesses that the police department has done heretofore. The Marine Corp provided a lot of equipment and facilities and a substantial number of Marine Corp personnel to run Camp High Sierra, As far as funds raised for 74/75 fiscal year, there was $8,000 dollars provided to the Mayor's office for transportation cost, rental of horses, through the Mayor's office $3,000, these are round figures, and then raised by letters of solicitation $9,000 dollars, raised by Raffle ticket sales in connection with the Gay/Police Softball game $3,000, Community Service Fund $500 dollars, the Milk Refund from the State $400 and then $100 or so carried over for a total of about $25, 682 dollars funding for the 75 total amount. I think there is another issue involved in here that should be discussed and that is the, one, reasonableness of using policemen for these type activities when we need them so badly on the street,direct primary police services and then secondly, measureably what results from having policemen involved in what are basically recreational programs. Camp High Sierra and some other types of programs. The theory is that personal contact between police and youth and these recreational-type activities engenders better youth-police-youth relationships. I question that measureably, it may well be probably in fact is, a case where in Camp High Sierra when we have 6 or 7 policemen up there that they do engender the relationship with the youth. There is rapport established. But then is there a transfer as regards to all other police department personnel? So in a word, a youth who goes to camp when he gets back, does he see in all uniform personnel the same type individuals with whom he related as policemen up in Camp High Sierra, is very questionable in my judgment that that does occur. Now the programs are worthwhile. Not the theory of crime prevention for example measureably, you can't measure, I don't think ever that crimes are prevented from that. Then I am quite convinced myself that the affecting of desirable relationships between policemen and youth and adults within our city has to be accomplished in our day to day

activities as police officers. So that every policeman from the Chief of Police down to the newest patrolman must be the community relations, so when we are out there relating with people that we do it in such a way as to provide the police service and do it in such a humanistic way to the extent that we can so that we can establish the best rapport that we can. That ends my report."

Commissioner Siggins: "Thank you, Chief."

POLICE COMMISSION DISCUSSION REGARDING PLANS FOR HOLDING PUBLIC HEARINGS ON THE BAR ASSOCIATION'S CITIZEN COMPLAINT PROCEDURES.

Commissioner Siggins: "Well, we haven't heard from the City Attorney, have we Chief?"

Chief Gain: "No sir, in fact, I was told yesterday that the City Attorney's Office anticipates that it will take two more weeks,at least, before their opinion is forthcoming because it was stated that the Bar Association Proposal impacts upon some of the different provisions of the Charter."

Mr. Tom Gee, appearing on behalf of the Bar Association: "On behalf of the Bar, I would like to say that we would encourage the Police Commission, in anticipation that the Opinion would be available in about two weeks, you would schedule the first hearing shortly thereafter. We realize that there are some questions in the Charter regarding whether the proposal, as it is now set out, can be implemented exactly as it is, but we feel that if the City Attorney should find or the Commission should decide that some change would be necessary, probably changes could be made that would accommodate the Charter requirements or if necessary or charter amendment could be sought. We have heard of the immense interest in this and public support and we feel that it is such that even if the City Attorney were to issue an opinion in which there might be some difficulty, we feel it is important that the Police Commission hold full hearings on this important question. And it is no doubt in our minds that any of the elements and features of this proposal could be adopted no matter what the Opinion is."

Commissioner Siggins: "I would think that we would spend two days just talking about the Charter and the problems. It would be just a waste of time if we can't get them out of the way so we could zero in on the proposal."

Chief Gain: "Mr. President, if I may, I recommended last week and I would restate the recommendation that

we do await the City Attorney's Opinion before we set public hearings. I recognize there is a strong community interest and there is interest within the Police Department too of course, and its personnel. But it may well be when we get that City Attorney's Opinion that it would so affect the Bar Association Proposal that the appropriate thing for the Commission to do perhaps would be to communicate with the Bar Association and give them a copy of the City Attorney's Opinion and tell them that their propsoal has been before them and will not legally stand, therefore perhaps calling for a re-writing of their proposal which would square with the legal issue."

Mr. Gee: "We are prepared to be here on any Saturday that the Commission wishes to hold hearings, but I just feel that with the onset of summer, it is healthy to set a date that we can look forward to, it would be a healthy way to proceed."

Chief Gain: "We can set it for June 12th and carry it each week on the Calendar so that we can kepp discussing it in light of the forthcoming opinion."

Mr. Amitai Schwartz, member of the Committee who proposed the Bars recommendation: "I just wanted to make three points, first of all, I am not sure that the City Attorney's Opinion is going to solve all the problems. The legal problems. The reason I say that is because reasonable people and reasonable lawyers can differ on some issues. It happens all the time. You can get two judges who will differ and at some point there is a policy question that ultimately may result in no reason they should test certain questions. The City Attorney may come up with an opinion the Bar Association may feel that there is a different view on the same questions, so it may solve some of the problems in the clear cut issues but it may not solve all of them. The other point that I want to make is I think that the principal legal issues are really involved in one section of that proposal and that is the creation of a special office for which our proposal calls an office of Citizens Complaints. The proposal that we submitted is 26 pages long and it has a lot of information and it has a lot of procedures in there dealing with various types of issues having to do with Citizens Complaints against police. There is fact finding, there is an awful lot to discuss and I think that for the most part, the legal issues that are, if you want to call them problems, I think are pretty much confined to one area. What I am trying to encourage is that there ought to be exploration of the other issues that are proposed in the proposal as well, it is just the creation of that particular office and I think that a lot of people are going to have things to say on that. To hold the discussions up too long just because we are waiting for one opinion and I realize it is an important opinion on one section, seems to me is to hold it up too long. I just want to make only one other point and that is this is really only one proposal, there may be other people in the community who have other pro-

posals and we really don't know, this is on the floor but there may be others on the floor instead."

Commissioner Siggins: "We said we were going to have hearings on it. Did you, in drafting this, consider the Charter at all?"

Mr. Schwartz: "There was consideration given to that, yes."

Commissioner Ciani: "I would make the same comment that I think you are implying (Commissioner Siggins) I am really surprised that the Bar Association presented this to us with inherent legal problems without at least briefing these issues, or telling us that there might be a problem here and that they have an opinion, that this does not violate the Charter. It's not really a thorough job when it comes to us if it has these problems in it and it's not really worthy of the Bar Association to present that kind of thing. If you can do it now, then you might be able to crystallize some of this for us so that we don't sit around on our hands for two weeks waiting for the City Attorney. We haven't, independently, done any research on what the resolution of these issues should be, so I don't think we can be blamed for the delay when the problem was in the proposal when it was given to us."

Commissioner Hall: "Maybe I had the wrong understanding about the proposal. I thought the proposal was just a discussion stimulated it's not the plan when it goes through the Citizens participation process only God knows what will come out at the end. So we are not presenting it in a finalized manner so that we are going to vote on it one way or the other, I thought it was just to get our minds working on a situation that we think is critical."

Commissioner Murphy: "If I may, I think this adds to what Commissioner Ciani just said. You have three laymen on this Commission also. We are not lawyers but we are literate, we can read and it seems to me that Commissioner Hall had a very great idea in point and that is there is a question, the proposal could be laid out in italics or parenthesis or some way and I have seen a great deal of manualese done this way. You put besides the question the legality if it's a Charter, there may be a Charter provision that negates this in this way or that way but we believe as a Bar Association that it is this way and this way. This would lay it out to not only us who are laymen but for those other people that are looking at this, other citizens who are also looking at this. And I think it would give us a better idea of what we are really accepting or rejecting. And I think both are important now."

Commissioner Siggins then stated that the Commission would set a tentative date of June 12, 1976, to com-

mence holding hearings on the Bar Association's Citizens Complaints Procedures.

SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 10B, CONSIDERED FOR DISCUSSION RE POSSIBLE NON-COMPLIANCE WITH ITS PROVISIONS, CONTINUED FROM APRIL 28, 1976 - OFF CALENDAR.

Commissioner Ciani thanked the people responsible for the very thorough reports submitted to the Commission on this matter.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
William F. Bode 463 Paris Street San Francisco, Calif.	Harry F. Bode 463 Paris Street San Francisco, Calif.	1

Route: Mission Street - Ferry to Sickles AVenue.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 202-76

HEARING ON REQUEST FOR EXTENSION OF TIME TO ACTIVATE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT) - APPROVED

WHEREAS, the hearing on the request for an entension of time to activate the jitney bus permit of Mr. Jorge Arrospide was called, it having been set for this date; and

WHEREAS, Mr. Arrospide appeared in person and stated that because of personal financial difficulties, he needed an extension of eight months to activate his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Jorge Arrospide for an extension of eight (8) months to activate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 203-76

AUTHORIZING THE CONTROLLER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA TO REIMBURSE THE CITY AND COUNTY OF SAN FRANCISCO FOR MONIES EXPENDED FOR THE PROTECTION AND CUSTODY OF A WITNESS IN A CRIMINAL MATTER.

WHEREAS, there was a series of street homicides in San Francisco in 1973-74 (The Zebra Case); and

WHEREAS, a citizen witness came forth who could and did identify the killers; and

WHEREAS, it was necessary to protect the citizen witness from reprisal; and

WHEREAS, the witness was a State prisoner; and

WHEREAS, jail facilities could not be used to house the prisoner-witness due to the possibility of harm from toher prisoners; and

WHEREAS, the City and County of San Francisco did provide around-the-clock security as well as certain necessities of life outside the prison setting; and

WHEREAS, the total cost of this security and other costs was $126,903.05; and

WHEREAS, the California Department of Corrections has agreed to reimburse the City and County of San Francisco in the amount of 40% or $50,761.22; and

WHEREAS, as a condition of reimbursement, the Department requires that the Board of Supervisors authorize the Controller to sign the attached contract.

NOW, THEREFORE BE IT RESOLVED, that the Baord of Supervisors of the City and County of San Francisco

approve the attached contract with the State of California Department of Corrections; and be it

FURTHER RESOLVED,that the Board of Supervisors authorize the Controller to sign the contract.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2225 MISSION STREET - E.O.C.

a) At 2225 Mission Street, revoke existing 40' yellow zone.

b) At 2225 Mission Street, install a 28' white zone, to extend north of the south property line.

c) Permission to display portable No Parking signs in conjunction with this white zone.

1710 HARRISON STREET - CANNED FOODS INC.

a) At 1710 Harrison Street, install a 32' green zone, to extend from 54' - 86' south of Division Street.

181 SECOND STREET - ADLOPH GASSER, INC.

a) At 181 Second Street, revoke existing 40' yellow zone.

b) At 181 Second Street, install a 40' Special Truck Loading Zone, to extend from 17' - 57' south of the north building line - to be in effect from 7 A.M., - 4 P.M., (If this Special Truck Loading Zone is granted, a request will be made to the Department of Public Works for the installation of Special Truck Loading Zone sign.)

244 JACKSON STREET - JOHN BROWN, M.D.,

a) At 244 Jackson Street, install a 22' white zone, to extend from 20' - 42' east of the west property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) Remove parking meter JACKSON-224.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

not voting; Commissioner Gallegos

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 238 feet of yellow and green zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 204-76

DOROTHEA VELEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dorothea Velez against the City and County of San Francisco in the sum of $10.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 6, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 205-76

KRISTI S. SMEDAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kristi S. Smedal against the City and County of San Francisco in the sum of $20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1976

AYES: Commissioners Ciani, Hall, Murphy Siggins

NOT VOTING; Commissioner Gallegos

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commissioner of the retirement of the following-named members of the Police Department:

a) Captain William J. O'Brien, Administration, for service, effective April 8, 1976.

b) Captain Louis H. Feder, Bureau of Criminal Information, for service, effective April 9,1976.

c) Captain Charles D. Korelec, Traffic Bureau, for service, effective April 9, 1976.

d) Police Officer Kenneth B. Couey, Traffic Bureau, for Industrial Disability, effective April 28, 1976.

e) Police Officer George E. Effisimo, Traffic Bureau, for service, effective April 14, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, May 5, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	44	48
Daily average for the week disabled	120	123
TOTALS	164	171

This is a decrease of seven (7) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.40	2.64
Daily percentage for the week disabled	6.84	7.02
TOTALS	9.24	9.66

Disabled at start of week	126
Started during the week	12
Returned during the week	19
Disabled at the end of week	117
Net Gain or Loss	-7

Sick and Disabled for week ending Saturday, April 10, 1976 at 2400 hours:

Sick and Disabled for week ending Saturday, May 3, 1975 at 2400 hours:

Daily average for the week sick	48	Daily average for the week sick	53
Daily average for the week disabled	130	Daily average for the week disabled	75
TOTALS	178		128
Daily percentage for the week sick	2.56	Daily percentage for the week sick	2.81
Daily percentage for the week disabled	7.34	Daily percentage for the week disabled	4.27
TOTALS	9.90		7.08

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING; Commissioner Gallegos

RESOLUTION NO. 206-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of $10,314.00 from any source approved by the Mayor and Controller, and credit it to the following appropriation in the amount indicated:

Appropriation No. 5.161.900.000.000 Services of other Departments $10,314.00

to provide funds for Police Department's contribution to Police Information Network.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING; Commissioner Gallegos

AUTHORIZING ATTENDANCE OF INSPECTORS JAMES B. JONES AND KENNETH MURPHY, INTELLIGENCE UNIT, AT AN ECONOMIC CRIME INVESTIGATION TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM MAY 17, 1976 TO MAY 28, 1976, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Inspectors James B. Jones and Kenneth Murphy, Intelligence Unit, be detailed to attend an Economic Crime Investigation Training Course in Sacramento, California, from May 17 to May 28, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspectors James B. Jones and Kenneth Murphy, Intellgience Unit, in a sum not to exceed $372.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

The Commission then adjourned its meeting.

SECRETARY

19 MAY 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 19, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

DOCUMENTS
JUN 1 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of May 12, 1976, did not approve the minutes on May 19,1976, but they will be approved on May 26, 1976, after certain changes and corrections have been made.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

PRESENTATION OF MEDAL OF VALOR AWARDS AND MERITORIOUS CONDUCT CERTIFICATE AWARDS

The following-named members of the Police Department were presented Medal of Valor Awards and Meritorious Conduct Certificate Awards at the Commission meeting by Police Commissioner Richard J. Siggins:

Assistant Inspector Gary O. Lemos.....Gold Medal

Police Officer Edward G. Buck.....Gold Medal

Sergeant Richard R. Racine.....Silver Medal

Sergeant John E. Lynch.....Silver Medal

Police Officer Larry P. Barsetti.....Silver Medal

Police Officer George B. Cima.....Silver Medal

Police Officer Timothy J. Hettrich....Silver Medal

Sergeant John C. Kristovich.....Bronze Medal

Sergeant Mario Tovani, Jr.,.....Bronze Medal

Sergeant Felix W. Buckley.....Bronze Medal

Assistant Inspector James J. Molinari.Bronze Medal

Police Officer Theodore A. Bell.....Bronze Medal

Police Officer John J. Forbes.....Bronze Medal

Police Officer Terry A. Gregory....Bronze Medal

Police Officer Robert J. Geary.....Bronze Medal

Police Officer Vladimir Kovaleff...Bronze Medal

Police Officer Alan B. Mould.....Bronze Star

Police Officer Calvin L. Nutting...Bronze Medal

Patrol Special Officer Samuel J. Reyes - Southeast Police District.....Bronze Medal

Inspector John J. Cleary.....Meritorious Conduct Certificate

Assistant Inspector Frank J. Falzon.....Meritorious Conduct Certificate

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, the report tonight will consist of informing you, then Captain Sully commenting upon the Budget submittal of the Finance Committee to the Board of Supervisors stating their recommendation for the Budget. In regard to the Police Department we've extracted a statement from that Budget. It is a two page statement which gives an itemization of the cuts. For your information, Captain Sully can review this with you."

Captain Sully presented to the Commissioners a document entitled "Budget Statement of Supervisor John J. Barbagelata on behalf of the Finance Committee," and then briefly explained its contents. The Commission generally discussed the issues,mainly those that had to do with cuts in personnel and equipment and the Finance Committee's recommendation urging the Department to obtain State or Federal funds to finance portions of the Community Relations Program rather than using ad valorem taxes.

Chief Gain stated: "We've already told the Finance Committee that we cannot get money to fund any part of the personnel in our Police Community Relations program so they are, in my judgment, doing a severe disservice to the citizens of our community by deleting the position of Director of Police Community Relations and by the personnel cuts they indicate. It does not strengthen, it is going to substantially weaken our efforts in many areas. Also, of course, we can note that in regard to Q2 Police Officers positions, that funds for the filling of those vacancies are not to be released until after the results of the November 1976 election. That means then, based on the face of this adopted by the Board, that we will not be able to hire a woman or a man police officer until November. And we now have as of this date 77 police officers vacancies, 2 Assistant Inspectors,

24 Inspectors, 51 Sergeants, 4 Lieutenants and 5 Captains for a total vacancy factor of 163. So our efforts to fulfill our commitment to impact upon serious crime and to provide police service to the community are in fact going to be severely handicapped. So what they have done is going to result in a lowering of the quantity of police services being provided to the community. I will be going before the Board on Monday in hopes of speaking on these issues and would hope, if time permits, members of the Commission would be there also."

Commissioner Siggins: "Thank you Chief."

HEARING TO DETERMINE IF PACIFIC PUBLIC CARRIERS COOPERATIVE, INC., ARE VALID INSURANCE CARRIERS FOR SAN FRANCISCO PUBLIC VEHICLES FOR HIRE - CONTINUED FROM APRIL 21, 1976.

Mr. William Roche and Mr. Maury Frohman appeared and stated that they were in the process of forming an insurance company. That the Insurance Commissioner has approved the name of Pacific Public Carriers Insurance Company, and that their attorney, Mr. Sidney Weinstock, had sent the Cooperation papers to the Secretary of State last week for approval so that the Insurance Commissioner could issue a stock certificate. They further stated that, the papers may have been lost enroute, but Mr. Frohman was going to Sacramento in the morning with duplicate papers and deliver them by hand so as to be able to hasten the formation of their company. Thus they were asking the Commission for a thirty (30) day extension of time to form a new company so that they can satisfy all concerned.

Mr. Walter Hoffman, an insuree of the Pacific Public Carriers spoke against the Cooperative.

He stated that the Pacific Public Carriers didn't cover the insuree from 0 to $50,000 and that as far as he was concerned, he did not have any insurance. He requested his money back from Mr. Frohman, who is in charge of the Cooperative.

Mr.Julius Lichtenstein, Insurance Broker, was given permission to speak and he stated that Pacific Public Carriers Cooperative, Inc., is not a self-insurer and even if it were, it would be unable to continue its operation without the express approval of the Department of Motor Vehicles and the San Francisco Police Department. He further stated that for a year now, they have done just that.

Commissioner Siggins stated that the Department is well aware of this and that there is no question that they can't be self-insured because each driver drives his own public convenience and necessity vehicle.

Mr. Phil Rancantore, representing the City Cab Company, stated that he had been with Mr. Frohman a number of years and he has never had any trouble so far. He

stated that whenever there had been anything to pay off he had never had any trouble, he would send it to the Cooperative and they would always pay and he did not understand what all the fuss was about. He stated that he had 46 cabs and he was thinking that he would apply to become self-insured. He then stated again that even though he was thinking of becoming self-insured, he was well satisfied with the service he received from Pacific Public Carriers Cooperative Inc.

Commissioner Siggins: "Once again we will put it over for a month, the letter still stands, that for those people who are drivers and owners of cabs, if there is a question about their insurance, it is my feeling that what they have now with Pacific Public Carriers Cooperative Inc., is not satisfactory and what they are doing now is risking the fact that the Cooperative will pay those claims and they better get some other insurance. We will put it over to the 16th of June."

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, CONTINUED FROM APRIL 28, 1976 - CONTINUED ONE WEEK.

Mr. George Engler, Attorney for Mr. Michael R. O'Brien, discussed the matter of Mr. O'Brien's status with the Police Department and requested the Police Commission to make some decision as to how the Commission would proceed with this case. After further consultation with the parties involved, including Sergeant Roche, Police Department's Attorney, assigned to the Legal Office, the Commission ordered the matter continued to the following week for further study and preparation of a preliminary report for presentation at that time. Commissioner Siggins advised Mr. Engler and Mr. O'Brien that they would not have to be present.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Steve Santamaria 649 Northern Ave. Mill Valley, Calif.	Louis F. Jean 968 Avalon Avenue San Francisco, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING; Commissioner Murphy

HEARING OF POLICE OFFICER GREGORY J. CLONEY, CENTRAL POLICE STATION

The hearing of Police Officer Gregory J. Cloney, Central Police Station, was called, it having been set for this date. Police Officer Gregory J. Cloney was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Conduct which reflects discredit upon the Police Department (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by James M. Curran, Captain of Police, Commanding Officer of Central Police Station.

Police Officer Gregory J. Cloney appeared in person and was represented by Mr. Manton L. Selby, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Luke Rogers
Security Guard
Golden Gateway

John Shimko
1051 Cole Street
San Francisco, California

Stephen Marks
279 Sanchez Street
San Francisco, California

At this time, it was agreed by the Prosecution and Defense Attprneys to call the following-named witness

out of order on behalf of the Defense:

Gil Turner
Security Guard
Golden Gateway Security

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Philip Dito
Central Police Station

Stephen M. Burns, a minor
57 Simpson Drive
Walnut Creek, California

William C. Coney, a minor
1353 Milton Avenue
Walnut Creek, California

Bruce A. Tibbles
1001 Knightwood Court
Walnut Creek, California

Gregory Batz
1632 Poplar Drive
Walnut Creek, California

Mrs. Linda Batz
1632 Poplar Drive
Walnut Creek, California

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Gregory J. Cloney
Central Police Station

A closing argument was presented by Mr. Manton L. Selby, Defense Attorney.

The Commission took the matter under submission, and then recessed from 2237 hours to 2305 hours, after which the following resolution was adopted:

RESOLUTION NO. 208-76

DECISION - HEARING OF POLICE OFFICER GREGORY J. CLONEY, CENTRAL POLICE STATION

WHEREAS, on April 9, 1976, James M. Curran, Captain of Police, Commanding Officer of Central Police Station, made and served charges against Police Officer Gregory J. Cloney, as follows:

SPECIFICATION NO. 1

a) That on 18 January 1976, the accused and a fellow officer responded to the lobby of the Alcoa Building where a citizen's arrest had been made by a building security guard;

b) That the accused while escorting the prisoners from the building did strike one of the prisoners without lawful authority or provocation causing an injury to the prisoner;

c) Because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"2.13 Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, May 19, 1976, and that on Wednesday, May 19, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Gregory J. Cloney, Central Police Station, as contained in Specification No. 1, are sustained by the evidence submitted at the hearing and that Police Officer Gregory J. Cloney has violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Gregory J. Cloney, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be given a Police Commission reprimand. Notification of said reprimand is to be made to the Civil Service Commission, with a copy to be placed in Officer Cloney's personnel file.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

Recess taken in the hearing of Police Officer Gregory J. Cloney:

2237 hours to 2305 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

Commissioner Ciani requested to let the record reflect that notices had been posted in the various areas where the installation of certain red, yellow and green zone were to be instituted. She extended her commendations to those who prepared the notice signs.

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

252 SAN BRUNO AVENUE - ROYAL SUPPLY COMPANY

a) At approximately 252 San Bruno Avenue, install a 32' green zone, to extend from 79' - 111' north of the south property line.

2397 FUNSTON AVENUE - "MR. LIQUOR" STORE

a) At approximately 2397 Funston Avenue, install a 32' yellow zone, to extend from 11' - 43' north of Taraval Street.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 223 feet of yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 209-76

ROBERT BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Brown against the City and County of San Francisco in the sum of $98.28 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: January 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 210-76

JOSEPH C. GAVIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph C. Gavin against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 19, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 211-76

CHARLES W. GREENHILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles W. Greenhill against the City and County of San Francisco in the sum of $207.60 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: June 4, 1975

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Deputy Chief William J. Keays, Chief's Office, for service, effective April 21, 1976 .

b) Lieutenant James Solden, Richmond Police Station, for service, effective April 28, 1976.

c) Sergeant James J. Falk, Jr., Richmond Police Station, for service, effective May 12, 1976.

d) Sergeant Ernest P. Frescura, Park Police Station, for service, effective April 28, 1976.

e) Sergeant Thomas A. Gordon, Southeast Police Station, for service, effective May 12, 1976.

f) Sergeant John J. Hess, Taraval Police Station, for service, effective May 1, 1976.

g) Sergeant Edward P. Markey, Richmond Police Station, for service, effective April 28, 1976.

h) Sergeant John M. Mackay, Taraval Police Station, for service, effective May 1, 1976.

i) Sergeant Francis H. O'Leary, Bureau of Inspectors, for service, effective May 12, 1976.

j) Inspector Arthur M. Christiansen, Bureau of Inspectors, for service, effective May 1, 1976.

k) Inspector Michael J. Dower, Bureau of Inspectors, for service, effective May 12, 1976.

l) Inspector Eugene E. Gibbons, Juvenile Bureau, for service, effective May 12, 1976.

m) Inspector John E. O'Keefe, Bureau of Inspectors, for service, effective May 1, 1976.

n) Inspector Anthony W. Trabucco, Bureau of Inspectors, for service, effective May 12, 1976.

o) Assistant Inspector Margaret Dillon, Juvenile Bureau, for service, effective May 12, 1976.

p) Police Officer Reno N. Rapagnani, Property Clerk's Office, for service, effective May 12, 1976.

q) Police Officer John J.Daly, Traffic Bureau, for Industrial Disability, effective May 12, 1976.

r) Police Officer Edmund DeMartini, City Prison, for service, effective May 1, 1976.

s) Police Officer Leon A.Latno, Jr., Bureau of Criminal Information, effective May 12, 1976.

t) Police Officer William E. Murphy, Patrol Bureau Headquarters, for service, effective May 1, 1976.

u) Police Officer Martin J. Roddy, Taraval Police Station, for service, effective May 12, 1976.

v) Police Officer Norman J. Ronneberg, Ingleside Police Station, for service, effective May 12, 1976.

w) Police Officer Max A. Schenk, Taraval Police Station, for service, effective May 12, 1976.

x) Police Officer Richard J. Treacy, Mission Police Station, for service, effective May 1, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 212-76

AUTHORIZING ATTENDANCE OF CAPTAIN JOH A. MCSWEENEY, PERSONNEL AND TRAINING AND CAPTAIN JOHN A. MAHONEY, PARK POLICE STATION, AT A SYMPOSIUM AT THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS AT SAN JOSE, CALIFORNIA, ON MAY 24,1976

RESOLVED, that the recommendation of the Chief of Police that Captain John A. McSweeney, Personnel and Training and Captain John A. Mahoney,

Park Police Station, be detailed to attend a Symposium at the National Conference of Christians and Jews on May 24, 1976, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain John A. McSweeney, Personnel and Training and Captain John A. Mahoney, Park Police Station, in a sum not to exceed $25.00 each in attending this Symposium, will be defrayed by the Police Department's Police Officers Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO.213-76

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, AT THE P.O.S.T. TRAINING MANAGERS SEMINAR AT ST. HELENA, CALIFORNIA, FROM JUNE 16,1976 TO JUNE 28, 1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp, Personnel and Training, be detailed to attend the P.O.S.T. Training Managers Seminar at St. Helena, California, from June 16, 1976 to June 28, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Richard D. Klapp, Personnel and Training, in a sum not to exceed $364.00 in attending this Seminar will be defrayed by the Police Department's Police Officers Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 214-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be and he is hereby requested to draw a Supplemental Appropriation in the amount of $111,313 from the following appropriation number in the amount shown:

Appropriation No. 5.161.110.000.000
Permanent Salaries-Uniform Force $111,313

and credit it to the following appropriation in the amounts indicated:

Appropriation No. 5.161.111.000.000
Extra Duty-Uniform Force $55,970

Appropriation No. 5.161.111.000.000
Holiday Pay-Uniform Force $55,343

to provide funds for payment of extra duty performed during craft workers strike.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO.215-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of $62,313 from any funds approved by the Mayor or Controller, and credit it to the following appropriations in the amounts indicated:

Appropriation No. 5.161.200.000.000
Contractual Services $30,270

Appropriation No. 5.161.300.000.000
Materials & Supplies $32,043

to provide funds to supplement contractual services and materials' appropriations for the remainder of the fiscal year.

AYES: Commissionrs Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, May 15, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week, sick	40	44
Daily average for the week, disabled	112	120
TOTALS	152	164

This is a decrease of seven (7) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week, sick	2.10	2.40
Daily percentage for the week, disabled	6.45	6.84
TOTALS	8.55	9.24

Disabled at start of week	119
Started during the week	14
Returned during the week	15
Disabled at the end of week	118
Net Gain or Loss	-1

Sick and Disabled for the week ending Saturday, April 17, 1976 at 2400 hours:		Sick and Disabled for the week ending Saturday, May 10, 1976 at 2400 hours:	
Daily average for the week sick	36	Daily average for the week sick	54
Daily average for the week disabled	128	Daily average for the week disabled	78
TOTALS	164		132
Daily percentage for the week sick	1.91	Daily percentage for the week sick	2.87
Daily percentage for the week disabled	7.22	Daily percentage for the week disabled	4.30
TOTALS	9.13		7.17

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting.

Willie E. Ingram
SECRETARY

26 MAY 1976 Minutes REGULAR MEETING

DOCUMENTS
JUN 9 1976
SAN FRANCISCO PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday May 26, 1976 at 1730 hours, in regular session:

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of May 12, 1976 and May 19, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, with your approval I will have Captain Sully give you a report on the status of our budget."

Captain George Sully, Department Secretary: "Today we have the final report and I will give you a brief summary of the budget as far as personnel goes. There are no reductions as we indicated before to you in the equipment account that we had asked for. The Board of Supervisors Finance Committee had instructed us to cut $202,739.00 from the budget. They did not re-institute it so we have left for equipment $329,125.00. They also, in their budget deliberations, cut another 7 patrolmen and 2 sergeants, which means that we will wind up next year at the end of the year with 1753 personnel as opposed to the 1970 that we had on June 30,1975, a total loss of 217 personnel in 366 days. As of May 19, the vacancy rate in the Department is 78 Police Officers, 2 Assistant Inspectors, 24 Inspectors, 44 Sergeants, 4 Lieutenants and 2 Captains. There has been an indication that if we would request the immediate filling of vacated positions in the Department in the ranks of Inspector and Lieutenant the Controller will approve the money to pay those off so that we can hire those personnel. We are getting that out at Chief Gain's insistence. We're getting it out right away. What

that means is, is that personnel that have retired are due their sick pay. Their sick pay is paid off and therefore their salaries are accruing until such time as they run out in our salary account. which means that we can't hire these personnel. So the Controller has indicated and we are going to ask you to pass a Resolution to support the hiring of each of the vacant positions up until our cuts on July 1, 1976, which will mean we will hopefully hire 4 Lieutenants, about 24, I think, Inspectors and there are some 21 Sergeants vacancies that will accrue about that time. We will have to knock off on July 1, 18 Sergeants and 102 Police Officers and 10 Assistant Inspectors. These positions are defunded as of that date. As of May 19, there were 78 Police Officer vacancies. There must be 112 such vacancies so that hopefully there will not be any layoffs. If we can get the requisitions released for Sergeants, Senior Patrolmen could be hired temporarily in this rank taking this away from the patrolmen rank and thereby eliminating the possibility of layoffs in the patrol ranks. The other thing they did in the Supplemental Budget, they approved all of the supplemental reclassifications for Deputy Chiefs except one and that one is of the Department Secretary, they left me with the same pay and they eliminated the Director of Community Relations job."

A general discussion followed regarding the Department's Community Relations Unit. The Director's position is still pending before the Civil Service Commission for their decision on re-classification and declaring it as an Exempt position in the Police Department. The Chief stated that it is an important position in the Department and is an integral part in his proposed structural reorganization plan. He further stated that he planned to keep the Community Relations Unit in tact despite personnel cuts in the budget.

The Chief then commented on the prostitution situation in the city. Because of the increase of prostitutes in April, discussions were held with certain department heads resulting in increased efforts to combat the problem. One phase of the increased effort was to assign undercover female officers to arrest men who are potential customers of prostitutes.

The Chief stated that the other thing he wanted to comment on was the takeover of the City Prison by the Sheriff's Department. He stated that the Sheriff was having the same problems that the Police Department was having as far as personnel was concerned and that our personnel, some 27 station officers and some number of our police officers would have to remain in the prison after July 1, until such time the Sheriff is able to hire new personnel and train them and get them into the Jail.

Chief Gain: "That now completes my report."

Commissioner Siggins: "Thank you Chief."

POLICE COMMISSION DISCUSSION REGARDING PLANS FOR HOLDING PUBLIC HEARINGS ON THE BAR ASSOCIATION'S CITIZEN COMPLAINT PROCEDURES, CONTINUED FROM MAY 12, 1976

After a general discussion on this matter by Mr. Tom Gee from the Bar Association, Ms. Mary Vail and Mr. Rodriguez, the Commission set Public Hearing dates for the Bar Association's Citizen Complaint Procedures as follows:

Hall of Justice Police Commission Hearing Room	Saturday, June 19,1976 2:00 P.M., to 5:00 P.M.
Galileo High School 1055 Bay Street	Thursday, July 1, 1976 7:00 P.M. to 10:00 P.M.
Herbert Hoover Jr. High School 2290 - 14th Avenue	Thursday, July 15, 1976 7:00 P.M. to 10:00 P.M.
Horace Mann Jr. High School 3351 - 23rd Street	Thursday, July 29, 1976 7:00 P.M. to 10:00 P.M.
Anza Elementary School 40 Vega Street	Thursday, August 12, 1976 7:00 P.M. to 10:00 P.M.
Portola Jr. High School 350 Gerard Street	Thursday, August 26, 1976 7:00 P.M. to 10:00 P.M.

AGENDA:

1. Presentation of the Bar Association Proposal by one of its representatives.

2. Presentation of existing procedure of handling citizen complaints against police officers by Police Department Staff.

3. Taking of relevant oral and written testimony by interested members of the public.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

POLICE COMMISSION DISCUSSION RE: CREATION OF BLUE PARKING ZONES LIMITED EXCLUSIVELY TO THE VEHICLES OF PHYSICALLY HANDICAPPED PERSONS.

Officer Andrew Quaglia from Traffic Survey: "We've received through our Captain, a notification from the Board of Supervisors a resolution of which the Commission has received taking action on the Blue Zones. The Blue Zones as you know are for disabled persons. We have contacted the ISCOT, the Inter Department Staff Committee on Transportation and Traffic, and they are meeting tomorrow and this will be their first item on the Agenda, and as of this date we have tried to contact the Department of Motor Vehicles to see exactly how many automobiles in this area, the Bay Area, in San Francisco this would involve. We are not sure how many cars are involved in this type of zone that is needed. We also have tried to contact the disabled community which unfortunately is represented by many different little individual groups, there is no one group. I am trying now to contact through our community relations group to see if there are a number of people who we can contact to see which buildings are actually being used by these people that would need these zones. We feel that you could not just indescriminately put one in front of every building in San Francisco, it would never work. We feel that, and I have been asked to request, that we delay at least two weeks for our report to come in so that we can get the final information that we need in order to discuss this properly."

The Commission acknowledged this request.

RESOLUTION NO. 216-76

PATROL SPECIAL OFFICER FRED T. BRANDT - REVOKED

RESOLVED, that the appointment of Fred T. Brandt as Patrol Special Officer for Beats No.8 and 23, Southern Police District and Beat No. 51, Central Police District, be, and the same are hereby revoked effective May 26, 1976, he having sold his beats to Patrol Special Officer Kent W. Brandt.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 217-76

PATROL SPECIAL OFFICER KENT W. BRANDT - APPROVED

RESOLVED, that Kent W. Brandt, be, and he is hereby appointed a Patrol Special Officer for Beats No. 8 and No. 23, Southern Police District, and Beat No. 51, Central Police District; said appointment effec-

tive May 26, 1976, he having purchased Beats No. 8 and No. 23, Southern Police District, and Beat No. 51, Central Police District, from Fred T. Brandt.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12,1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, CONTINUED FROM MAY 19, 1976 - CONTINUED ONE WEEK

Chief Gain and Sergeant Roche conferred on this matter after which the Chief stated that he would recommend to the Commission a full hearing in this case.

The Commission agreed and the matter was put over to the following week to allow for Sergeant Roche to contact Mr. Engler for the purpose of setting up a commencement date for the hearing..

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 218-76

REQUEST OF POLICE OFFICER LEROY HENRY, JR., INGLESIDE POLICE STATION, TO APPEAL ONE (1) WORKING DAY SUSPENSION

WHEREAS, a communication was received from Charles R. Gain, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer Leroy Henry, Jr., Ingleside Police Station, for a period of one (1) working day effective 0001 hours, Thursday, May 13, 1976, and terminating 0001 hours, Friday, May 14, 1976; and

WHEREAS, a communication was received from Police Officer Leroy Henry, Jr., Ingleside Police Station, requesting a hearing before the Police Commission in accordance with Section 5.160 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of one (1) working day by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Leroy Henry, Jr., Ingleside Police Station, for a hearing before the Police Commission to appeal his suspension

by Charles R. Gain, Chief of Police, for a period of one (1) working day effective 0001 hours, Thursday, May 13, 1976 and terminating 0001 hours, Friday, May 14, 1976, be, and the same is hereby set for Wednesday, June 2, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 219-76

MARY KATHERINE DELONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Katherine Delong against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 220-76

JOHN L. DE MELLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John L. De Mello against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.
Date of Incident: February 26, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 221-76

JOY S. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joy S. Johnson against the City and County of San Francisco

in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 14, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 222-76

WILLIAM KRUEGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Krueger against the City and County of San Francisco in the sum of $41.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1976

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 223-76

HARRY S. DIXION AND HIS ATTORNEY FREDERIC L.HARVEY

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Harry S. Dixion, in the sum of $1,000 in Municipal Court Action No. 700-400 entitled "Harry S. Dixion vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 15, 1973

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 224-76

PACIFIC AUTO BODY COMPANY AND JACK OKELL

RESOLVED, that the recommendation of the

City Attorney for settlement of unlitigated claim of Pacific Auto Body Company and Jack Okell against the City and County of San Francisco in the sum of $1,500 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 4, 1975

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 225-76

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $13,833 to reserve funds in Appropriation No. 5.161.961.000.000, and carried forward to the next fiscal year in order to provide local cash match for several grant applications being considered for funding by the Office of Criminal Justice Planning. One grant, Crime Analysis Development will require $2,250 in local funds. Other grants, include Victim Services Program; one to upgrade the Intelligence Unit, and one for the Bureau of Special Services.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 226-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $4,166 charging same to Appropriation No. 5.161.890.050.000 to cover narcotic fund disbursements for the month of June, 1976.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 227-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he

is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the sum of $3,333 charging same to Appropriaton No. 5.161.890.000.000 to cover contingent fund disbursements for the month of June, 1976.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 228-76

AUTHORIZING ATTENDANCE OF INSPECTORS THOMAS A. MAGNANI AND WILLIAM F. MUSANTE, PAWNSHOP DETAIL, AT A PROTECTIVE SERVICE TECHNIQUES COURSE IN SACRAMENTO, CALIFORNIA, FROM JUNE 19, 1976 TO JUNE 24, 1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspectors Thomas A. Magnani and William F. Musante, Pawnshop Detail, be detailed to attend a Protective Service Techniques Course in Sacramento, California, from June 19, 1976 to June 24, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspectors Thomas A. Magnani and William F. Musante, Pawnshop Detail, in a sum not to exceed $160.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, May 21, 1976 at 2400 hours as follows:

		PREVIOUS WEEK
Daily average for the week sick	47	40
Daily average for the week disabled	117	112
TOTALS	164	152

This is an increase of twelve (12) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.62	2.10
Daily percentage for the week disabled	6.75	6.45
TOTALS	9.37	8.55

Disabled at start of week	116
Started during the week	16
Returned during the week	21
Disabled at the end of week	111
Net Gain or Loss	-5

Sick and Disabled for week ending Saturday, April 24, 1976 at 2400 hours:		Sick and Disabled for week ending Saturday, May 24, 1975 at 2400 hours:	
Daily average for the week sick	37	Daily average for the week sick	53
Daily average for the week disabled	119	Daily average for the week disabled	77
TOTALS	156		130
Daily percentage for the week sick	1.99	Daily percentage for the week sick	2.81
Daily percentage for the week disabled	6.82	Daily percentage for the week disabled	4.25
TOTALS	8.81		7.06

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

The Commission then adjourned its meeting.

SECRETARY

2 JUNE 1976 REGULAR MEETING

Minutes

DOCUMENTS
JUN 3 1976
SAN FRANCISCO PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 2, 1976 at 1730 hours, in regular session:

PRESENT: Commissioners Gallegos, Hall, Murphy, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of May 26, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commission Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, if I may, tonight my report will consist of having Deputy Chief Clement D. DeAmicis give you a status report in regard to the planning for the June 19th meeting with regards to the Bar Association's proposal."

Deputy Chief DeAmicis: "Mr. President, members of the Commission, we had a meeting yesterday and we have together now several individuals within the Department who are preparing for the first hearing on June 19th and all the hearings subsequent to that date. The Commission Staff is right now in the process of preparing the first mailing to Community groups, to police officers, to Police Officer's Associations and to interested citizens. They are also, arranging to tape the hearings with transcriptions to be made or summaries to be made of the tapings later. The Police Community Relations Bureau is at present working with the School Department in order to lock in the dates and locations that have already been selected. They will also have interpreters and translators at each of the meetings. The Public Affairs Officer, Officer O'Toole, will have some press releases out shortly to Radio, Television and Newspapers. Again that will give the locations, the times, the places and how people may come to the Commission and give oral and written testimony. The Legal Department right now is mailing a word description to go along with the schematic showing the difference in comparison between the way the Bar Association Proposal is recommending that police complaints be handled and the way our

Internal Affairs Bureau is doing it now. Getting back to locations, it was our feeling yesterday at the meeting that this room which has a capacity for about 100 people may be too small for the first meeting, and we are recommending to the Commission that the first meeting be held upstairs. That upstairs room has a capacity of approximately 500 and it's quite easy to get the people up there and probably best suited to accommodate the large number of people that will appear for the first hearing. We also have another meeting coming up, that is the organizing group next Wednesday in case there are any changes of dates or locations, so that these can be publicized and brought to you. That is as far as we have gone at this time."

Commissioner Gallegos: "Have you had any queries from community groups for the dates on the hearings?"

Deputy Chief DeAmicis: "No, we have not, unless the Secretary to the Commission has, I have had none. I have only had one letter in that whole time asking to be put on the mailing list and I have taken care of that, but I think what's happening is that there are newspaper reports that these hearings are pending and people are expecting to see it in the newspaper and they feel that there will be some wide publicity whenever these dates are selected and we are ready to go. I think we will be able to learn a lot from the first meeting as far as operations other than the number of responses that are shown."

Commissioner Murphy: "Haven't we found too Captain, that the people, who are the neighborhood groups, who are very concerned with this, have been at the meetings where we have discussed when we were going to have the hearings, the contents and so on?"

Deputy Chief DeAmicis: "Yes, I believe that is true."

Chief Gain: "I have nothing further to report Mr. President."

Commissioner Siggins: "We have not heard from the City Attorney in regard to his opinion. I was in his office today and I know he is working very hard on it."

Commissioner Murphy: "Can you tell me a little bit of how far you have proceeded with the reorganization Chief."

Chief Gain: "Yes, it is being worked on. Tomorrow I have a meeting with staff and what is really needed is a comprehensive write-up, a narrative to explain "why" this particular structure and hopefully we will have copies for you by the next meeting here to present to the Commission. We've had staff members, the Traffic Bureau for example, writing up their particular organization and there has been a lot of discussion in that regard. And then I have had a couple of outside persons, experts, review the basic structure and gotten

comments from them and we still have areas to confer in. So it is not yet finished. What we have to do, frankly, in regard to reorganization, was to put it aside, particularly because of budget and other administrative things that staff had to devote their attention to, that is what has held up its submission to the Commission, the Reorganization Plan."

Commissioner Hall: "Chief, I read the other day a group of churchmen, especially black churchmen, were endeavoring to acquaint the community and their churches on the correlation between drug and crime. They contend that inflation and unemployment this summer will create a greater problem in the black community. Just as food has gone up in the Super Market, they contend that drugs have gone up and they are not as accessible as they have been and this is going to create an additional problem this summer in the black community in particular and I wonder whether you share their apprehension and concern... their thinking on this matter, I am thinking of it in light of the cut back we've had in personnel and also the problem of deployment."

Chief Gain: "I am not sure I understand you, Commissioner. .....an increase in the drugs or increase in the.....

Commissioner Hall: "No. They say that inflation and unemployment this summer may cause this increase in crime, may inflate the incidence of crime in the community simply because drugs are hard to get and costly and because they are, it is going to create an additional problem."

Chief Gain: "I, frankly, haven't given it consideration or made a judgment on it."

Commissioner Murphy: "It is something to watch in our statistics."

Chief Gain: "Well, we constantly do. According to Lieutenant Kerrigan in the Narcotics Bureau, drugs are quite prevalent now. Street sales are very prevelant in San Francisco. So I haven't gotten any reports at all that drugs are hard to get or that there are any lessening of sales because of price problems, but I will check into that. Mr. President, I should have mentioned this in my report and I didn't. Next week the Civil Service Commission has calendared, again, the matter of the Director of Community Relations and I wanted to get the sense of the Commission so that I can relate it to the Civil Service Commission that the Commission still wants that position classified Director of Police Community Relations as an exempt position. I was sure that your feelings hadn't changed but I wanted to get it explicitly so I can relate it to them that you did voice tonight, your same position."

Commissioner Siggins: "Thank you, Chief."

REPORT OF CAPTAIN OF TRAFFIC, ROBERT C. SEGHY, RE: NEW PROCEDURE FOR INSTALLATION OF RED, YELLOW AND GREEN ZONES. - CONTINUED ONE WEEK.

Captain Seghy requested this matter put over for one week.

Commissioner Murphy: "I would like to make that motion because of the Blue Zone issue which is another zone to consider. I talked with John Edmunds, an acquaintance of mine, who is an attorney and a paraplegic, and he had really no opinion about the Blue Zones. He may not want to appear personally, but he wants to be sure the handicapped community leaders appear and discuss the Blue Zone issue. I think it would be appropriate to have it all at the same time."

Commissioner Siggins stated that he felt that would be appropriate and it was agreed to have both matters on calendar at the same time.

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Richard J. Castle P.O. Box 223 Laytonville, Calif.	Maxie A. Garcia 59 Melra Court San Francisco, Calif.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES; Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani.

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following-named person was called, it having been advertised in the official

newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Manfred Lazarus 2022 - 24th Avenue San Francisco, Calif.	Yas Furuya 47 Wood Street San Francisco, Calif.	1

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 229-76

*APPROVING IMMEDIATE FILLING OF VACATED CIVIL SERVICE POSITIONS OF THREE (3) Q60 LIEUTENANTS, OF POLICE, EIGHT (8) Q50 SERGEANTS OF POLICE, AND SEVENTEEN (17) VACATED NON-CIVIL SERVICE POSITIONS OF 0380 INSPECTORS OF POLICE IN THE SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the recommendation of the Chief of Police that the Police Commission adopt a resolution approving the immediate filling of vacated Civil Service positions of three (3) Q60 Lieutenants of Police, eight (8) Q50 Sergeants of Police, and seventeen (17) vacated non-civil service positions of 0380 Inspectors of Police in the San Francisco Police Department, be, and the same is hereby approved.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

* Title was changed from original calendar title to the above title by order of the Police Commission.

RESOLUTION NO. 230-76

SUPERIOR COURT ORDER COMMANDING THE POLICE COMMISSION TO SET ASIDE ITS DECISION DATED MAY 12, 1969, IN THE ADMINISTRATIVE PROCEEDINGS IN THE MATTER OF MICHAEL R. O'BRIEN, AND TO RECONSIDER ITS ACTION IN LIGHT OF THE COURT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW.

WHEREAS, in September of 1968, Police Officer Michael R.O'Brien, while off duty and returning to the

city after a day of boating, became involved in a minor traffic accident; and

WHEREAS, the incident escalated into a physical altercation between Officer O'Brien and members of the community resulting in the fatal shooting by Officer O'Brien of one of the community members; and

WHEREAS, Officer O'Brien having been criminally charged with manslaughter, and after a trial by jury was acquitted. He was then tried before the Police Commission for violation of Section 2.13 (unofficerlike conduct of the Rules and Procedures of the San Francisco Police Department) and terminated by the department in May, 1969, for unofficerlike conduct; and

WHEREAS, Officer O'Brien appealed the action of the Police Commission to the Superior Court of the State of California, and on March 26, 1976, that Court issued an order stating that the Police Commission abused its discretion in terminating Officer O'Brien and ordered the matter back to the Police Commission with instructions to reconsider the matter; and

WHEREAS, on March 26,1976, in accordance with the City Attorney's Opinion, Michael R.O'Brien now reverts to the status of a suspended police officer awaiting a hearing on the dismissal charges, and any new proceedings should be conducted within the time requirements of the Police Department's Rules and Procedures; and

WHEREAS, in accordance with Rule 5.159 of the Rules and Procedures of the San Francisco Police Department which states in part, "when a member is temporarily suspended pending the hearing of charges, the said charges shall be heard by the Board not more than thirty (30) days after the date of suspension;" and

WHEREAS, the Police Commission has decided to rehear the matter, but because of the unusual circumstances surrounding this case is unable to conduct a hearing within the prescribed time limit; and

WHEREAS, because of the unavoidable delay in hearing this matter the Commission feels that in the interests of justice, Michael R. O'Brien should be reinstated as a member of the San Francisco Police Department; therefore be it

RESOLVED, that the Police Commission in preparation for a rehearing of the Michael R. O'Brien matter does hereby order that he be reinstated as a

member of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Michael R. O'Brien's reinstatement shall be retroactive to April 26, 1976, and compensation and benefits he would have earned from that time shall be designated as earned by him commencing at that time.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 231-76

HEARING OF POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION

WHEREAS, the hearing of Police Officer George Moisaant, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George Engler, attorney for Police Officer George Moissant, appeared before the Police Commission and stated that since Officer Moissant is still undergoing medical treatment for his condition that a hearing at this time would be detrimental to his health; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer George Moissant is set for Wednesday, June 16, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 232-76

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LEROY HENRY, JR., INGLESIDE POLICE STATION, CONTINUED TO JUNE 9, 1976.

WHEREAS, the hearing of the appeal of suspension of Police Officer Leroy Henry, Jr., Ingleside Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Police Officer Leroy Henry, Jr., requesting a continuance in this matter as his attorney would be unavailable for today's scheduled hearing; therefore be it

RESOLVED, that the request for a continuance in the hearing of the appeal of the disciplinary suspension filed against Police Officer Leroy Henry, Jr., be, and the same is hereby approved, and continued to Wednesday, June 9, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 233-76

NANCY Y. ALLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Y. Allen against the City and County of San Francisco in the sum of $12.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 2, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 234-76

CHRIS FABRE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris Fabre against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 235-76

ELIAS KHOURI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elias Khouri against the City and County of San Francisco in the sum of $500 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: March 10, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 236-76

PHILIP F. MARKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Philip F. Marks against the City and County of San Francisco in the sum of $31.85 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 19, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 237-76

GARY MORO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Moro against the City and County of San Francisco in the sum of $23.33 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 238-76

JOYCE D. RICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joyce D. Rice against the City and County of San Francisco in the sum of $214.23 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 6, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 239-76

ENOMOTO SHIGERU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Enomoto Shigeru against the City and County of San Francisco in the sum of $253.62 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 13, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 240-76

EVIE STONE

RESOLVED, that the recommendation of the City attorney for settlement of the claim of Evie Stone against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 14, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 241-76

JAMES I. OR BONNIE WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James I. or Bonnie Williams against the City and County of San Francisco in the sum of $494.66 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 12, 1976

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 242-76

JAMES R. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James R. Wilson against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1976

AYES: Commissioners Gallegos, Hall, murphy, Siggins

NOT VOTING: Commissioner Ciani

RETIREMENT

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Sergeant Robert T. Good, Richmond Police Station, for industrial disability, effective May 22, 1976.

The communication was ordered filed.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 243-76

REQUEST TO TRANSFER RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer reserve funds in the sum of $7,000 to allotted funds in Appropriation No. 5.161.112.000.000 (Holiday Pay - Uniformed Force) to cover pending payrolls.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 244-76

AUTHORIZING ATTENDANCE OF INSPECTOR RENZO R. PANELLI, INTELLIGENCE UNIT, AT A CRIMINAL INTELLIGENCE COMMANDER'S COURSE IN SACRAMENTO, CALIFORNIA, FROM JUNE 14, 1976 to JUNE 18, 1976, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Renzo R. panelli, Intelligence Unit, be detailed to attend a Criminal Intelligence Commander's Course in Sacramento, California, from June 14, 1976 to June 18, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Renzo R. Panelli, Intelligence Unit, in a sum not to exceed $176.00 in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, May 29, 1976 at 2400 hours as follows:

		PREVIOUS WEEK
Daily average for the week sick	53	47
Daily average for the week disabled	116	117
TOTALS	169	164

This is an increase of five (5) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.95	6.75
Daily percentage for the week disabled	6.70	2.62
TOTALS	9.65	9.37

Disabled at start of week	117
Started during the week	8
Returned during the week	14
Disabled at the end of week	111
Net Gain or Loss	-6

Sick and disabled for week ending Saturday, May 1, 1976 at 2400 hours:

Daily average for the week sick	48
Daily average for the week disabled	123
TOTALS	171
Daily percentage for the week sick	2.64
Daily percentage for the week disabled	7.02
TOTALS	9.66

Sick and disabled for week ending Saturday, May 31, 1975 at 2400 hours:

Daily average for the week sick	43
Daily average for the week disabled	77
	120
Daily percentage for the week sick	2.27
Daily percentage for the week disabled	4.24
	6.51

The report was ordered filed.

AYES: Commissioners Gallegos, Hall, Murphy, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting.

SECRETARY

F
45
2
176
2

9 JUNE 1976 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 9, 1976 at 1730 hours, in regular session:

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS
JUN 21 1976
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of June 2, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I would like to report on two things tonight. First, in regard to the Internal Affairs Bureau and its' work load, the number of cases in Internal Affairs, particularly the pending cases are such that I am putting five additional investigators in that Bureau to get rid of the backlog and also because of the work load, as of Monday, we are assigning a Captain to the Internal Affairs. The Captain who had been there, Captain Elbert, is now on disability leave. So, because of the work load and the need for more personnel, five investigators plus a Captain are being transferred in. So I wanted to relate that to you. Captain McSweeney who is currently in charge of the Personnel Bureau will be assigned. What is occurring is, as of the 23rd of this month, if nothing goes wrong, the Sheriff's Department will take over the City Prison and as a consequence of that, Captain Conroy will be available for re-assignment. So my plan is to re-assign Captain Conroy and we have Captain McSweeney go to Internal Affairs.

Commissioner Siggins: "The investigators will be from the Sergeant's level or will they be....."

Chief Gain: "They are coming from the Inspectors Bureau. They will be Inspectors who have the Sergeant's rank also.

All full Inspectors. Which means of course on a work-load basis that something is going to suffer there."

Commissioner Gallegos: "Chief, are the personnel assigned to the Internal Affairs Bureau given any confirmation or training period by way of developing some uniformity, objectivity in terms of....."

Chief Gain: "Well, they are all trained investigators and of course what Chief McInerney has done is to pick out individuals based upon their investigative skills and based, in part, on their willingness to go there. And then when we go to Internal Affairs, the Lieutenant and Captain McSweeney, who has had previous experience there, will train them in the specifics of the Internal Affairs investigative procedures. So that will be done. The second thing that I would comment upon and I make a request to the Commission in regard to it, is the matter of the Director of the Community Relations Bureau. As we know it has been pending for some time now before the Civil Service Commission, a request by the Police Commission to classify that position as an exempt position. The meetings have been carried on by the Civil Service Commission for various reasons. They will be meeting again now on the twenty-first of June. My recollection is that the matter went before the Civil Service Commission as a result of a supplemental budget request that we submitted, because this fiscal year is running out and just to make it clear to the Civil Service Commission that the Police Commission desires that matter be acted upon, I would request the Commission to entertain a resolution or a request, whichever is appropriate, directed to the Civil Service Commission voicing your desires to have them act upon that classification as an exempt position because it is your intention to submit if it is appropriate to do so, if necessary, after 1, July, another Supplemental Budget Request to effectuate the exempt position in budgeting by the Board of Supervisors for that position. Last week I asked you to convey the sense of the Commission which you did, I would like to have the Commission now formalize it so that the Secretary can address a written communication to the Civil Service Commission in which they have before them on the 21st, we call to your attention that we still want that position classified as exempt and that we intend to pursue the matter even into the next fiscal year, if necessary, by the submission of another Supplemental Budget request."

Commissioner Gallegos : "I would ask is there something we can say that we haven't said already that would underscore our concern and bring forth the importance of the matter of what it is we are trying to do? I think the hearings that were held certainly pointed out the public's interest and concern for it and the Commission's statement was strongly in favor for it."

Commissioner Murphy: "I think a motion could give our sense of what we want to say and should be strongly worded to make it clear our continued concern that this position be an exempt one."

Commissioner Siggins: "Okay, all in favor?"

Commissioners: "AYE"

Chief Gain: "That concludes my report."

Commissioner Siggins: "Thank you, Chief."

SAN FRANCISCO POLICE DEPARTMENT PROPOSED PROCEDURES FOR FIELD STOPS.

Chief Gain: "Deputy Chief DeAmicis will speak on this matter, Mr. President."

Deputy Chief Clement D. DeAmicis : "Mr. President, Members of the Commission, much has been written about what is not permissable whenever a police officer has bystanders at the scene of an arrest or some emergency. Very little has been written about the rights of people who may stay on as onlookers at the scene of a field interrogation or arrest. Some community people have approached the Department and working with the Chief and also some other police officers of various ranks, we have come up with a policy statement which includes the rights of onlookers remaining at the scene of a field interrogation or arrest of which you have a copy of those partiuclar rights. We are asking at this time that you consider the inclusion of these rights in the Patrol Officers Manual."

Commissioner Ciani: "May I ask a question? How does this compare....could you just give us a rough idea to the April 23rd document that we discussed, I believe at the March 10th meeting, this was the one prepared by the Northern Police Practices Project?"

Deputy Chief DeAmicis: "I am not familiar with that document unless it is the one, well, there are some differences. Probably one of the crucial differences is that in that original document they wanted the onlooker or the bystander to be able to get close enough to hear everything said by the Officer to the person whom he stopped or was in the process of arresting. That is not included in our document. Another one was that they wanted as many as two people to be there. We have no specified number of people to be there. And we would deal more with circumstances having to do with what kind of a situation it was and also did not want the police to be in a position where they had to stay so that other people could hear. There are many times when we just want to take someone and put them in a car and go away from the scene. So we didn't want to lock our Officers into a situation where they had to make an arrest or interrogation in the presence of people and could not move them for safety reasons."

Chief Gain: "What we would request at this time, Mr. President, is scheduling for public hearing which we request if granted, for June 16th."

Commissioner Murphy: "Would this be appropriate to include in the set of meetings we are going to have on the Bar Association hearings? I know it is a different subject in one way, but it is also related it seems to me. Wouldn't it be worth exploring that much, it seems to be fairly complicated."

Chief Gain: "It is scheduled,hopefully, for June 16th, there will be Community Organization Representatives here, Police Practices Persons, and they probably will be submitting their original proposal as a counter proposal to these procedures. So that at that meeting there will be there at least several persons from the community here."

Commissioner Murphy: "I don't think that is bad at all. Let's have that, but I just wondered if the subject couldn't be brought up, also at the other meetings."

Chief Gain: "That was the opinion not only perhaps, I think they are unrelated issues but it would probably make the other hearings more complex if you try to join that issue with them."

Commissioner Murphy: "Okay."

Commissioner Siggins: "So, let's put it on calendar for next week and see where we go from there."

POLICE COMMISSION DISCUSSION REGARDING PLANS FOR HOLDING PUBLIC HEARINGS ON THE BAR ASSOCIATION'S CITIZEN COMPLAINT PROCEDURES.

Deputy Chief DeAmicis: "Mr. President, Members of the Commission, we are still in the process of preparing for those for the first hearing on the 19th and hearings subsequent to that date. Yesterday the Secretary to the Commission mailed out 250 mailers to Community Groups, News Media, and to the Police Associations. Also, we made a survey of the locations that we had listed and that have already been approved and found that the Horace Mann School as had been promised to us by the School Department was no longer available and decided to move some equipment into the area that we wanted to hold the meeting. Therefore, I have selected LeConte School, which is at Army and Harrison Streets and is directly across the street from Lulac, which is one of the Community Centers used extensively by people in the Mission. Today I was contacted by Mr. Peter Torres of the Police Incidents Group and his recommendation

was that we not have the meeting at LeConte School but rather that we have it at the Mission Neighborhood Center at 20th and Capp Streets or 362 Capp Street. I recommend again that we stay with the public school and for the reason that we gave earlier and that is the public schools are considered neutral ground and not anybody's turf. And that is the reason that I recommend again that we stay there. LeConte is again across from the Community Center that is used frequently, it does have access to transportation. The lines 23, 25 and 27 go there and if we moved it to the Capp Street location it would be further away for the Bernal Heights people."

Commissioner Murphy: "How is their Auditorium?"

Deputy Chief DeAmicis: "It will hold approximately 200 to 250 people."

Commissioner Siggins acknowledged Mr. Peter Torres request to speak.

Mr. Peter Torres: "I suggest the Mission Neighborhood Center mainly because it is centrally located in the inner Mission and what we would be drawing from is Castro, Bernal Heights, Potrero, so if it is left at Le Conte, LeConte is at the peripherial of the inner Mission. It is on Army Street, it is just not that centrally located. The neighborhood center is located a half block from Mission Street. That's a major artery with bus service,very frequent bus service. And it's my feeling to say that facility, I think you can total 200 people....can sit down in a lot of comfort. There is a stage, it is a very usable spot, old people use it for meetings. It is a district community center. So I would suggest it because it is centrally located, there will be a lot of older people in the community who will want to attend this meeting and if it is held up on Army Street it will be very hard for people who live in that inner core to get out there. While if it is located in that central area in the inner Mission, people will be able to go out there easily. And I think what we are concerned about now is keeping it in an area where the people will be able to get near a center.

Commissioner Siggins: "We have already been through this at one time and certain groups designated certain areas and I think that LeConte comes within that area that was requested, actually....."

Mr. Peter Torres: "Well, what happened at that point you suggested James Lick so what we were doing....we don't want to go up in Noe Valley, so we said Lulac just to get away from James Lick up on top of the Mountain. But now I think we have come up with a better place for the meeting and that is the center or the neighborhood center."

Commissioner Ciani: "Captain DeAmicis, can you describe the facilities at the Neighborhood Center?"

Deputy Chief DeAmicis: "The last time I was at the Neighborhood Center was seven years ago and I haven't been in there since. And probably Mr. Torres can do better in describing that center since he has been there recently."

Commissioner Ciani: "Well, what are the facilities Mr. Torres, is there a suitable auditorium?"

Mr. Torres: "Yes, there is a suitable auditorium with a full stage, there are chairs there, it is a complete auditorium with complete facilities. I don't know what to comment other than just one big room. This is actaully an auditorium with a stage and this is set up in the Mission."

Commissioner Gallegos: "I am familiar with the Center. I think in light of the fact MissionNeighborhood Center has had so many problems, I mean it has had a lot of turmoil in the last few years, I think the idea of neutral grounds is proper and that is my opinion. And also, I think that from a street point of view, Army Street is safer, it has more light. Whereas the alley on Capp a block down from South Van Ness is poorly lighted. I think that Le Conte should definitely be used. I think that location would be satisfactory. It is accessible to Bernal Heights and Potrero Hill and the imporant thing is to get into the Community."

Commissioner Siggins: "Chief, the announcements that went out yesterday pertains only to the Saturday Hearing, is that correct?"

Deputy Chief DeAmicis: "Yes, that is right. And that is because we had a problem with the school that we just mentioned. Now that that school is locked in we are going to put out a mailer, either late this week or early next week to all the press people and again to all the neighborhood community groups."

Commissioner Siggins: "I think that we should wait until we have had the first meeting before putting out more mailers, if that is alright? I have spoken to the Executive Director of the Bar Association and he has given me a different idea than we are getting here, that it wasn't that much of a rush. Especially if all the Commissioners could not be at the hearings. He was willing to forego the meeting on Saturday, but I told him that the mailers had already gone out. He was more concerned about the response of the City Attorney's Opinion, but I told him we would go ahead on Saturday."

Commissioner Gallegos: "I am curious, is there any request to R.S.V.P. by phone or letter relative to the individual organizations interested in testifying?"

Sergeant Frazier: "No, it just advises interested parties of the meeting on the 19th and how they may

obtain the Bar Association's proposal and the current Police Department procedures."

Commissioner Ciani: "You say that 250 mailers have been mailed out, has there been any effort to get radio and television spot announcements?"

Deputy Chief DeAmicis: "No, it is our intentions that once we are ready to notify the media of the specific dates then it is at that time we will ask for public service."

Commissioner Ciani: "May I make a request that you coordinate that with the Bar Association because I think that they are also interested in knowing what type of publicity is being sought so that they can be of some help."

Commissioner Siggins: "Thank you, Chief."

POLICE COMMISSION DISCUSSION RELATIVE TO CREATION OF BLUE PARKING ZONES LIMITED EXCLUSIVELY TO THE VEHICLES OF PHYSICALLY HANDICAPPED PERSONS.

Captain Robert Seghy reporting: "Mr. President, Members of the Commission, we have at this time sent out notices to 14 agencies in dealing with handicapped persons requesting input from those agencies relative to locations of probable Blue Zones. We requested that they send their response in by the 8th, which is fairly short notice. We were trying to get it prepared for this hearing and there has been only one response at this time."

Commissioner Murphy: "May I ask who that is from Captain?"

Captain Seghy: "Yes, that is from a Mrs. Rose Resnick, California League for the Handicapped. We are hoping to get something as far as specific locations. We know that we want them for Public Buildings, Hospitals and such, and if we don't get responses to these personal letters we sent out, we will make personal phone call contacts with the agencies to the extent possible to get some input. I have discussed with Sergeant Roche today, the possibility of rough-drafting legislation which we would have ready to go subject to the Commission's approval for the Blue Zone activity as soon as we can get the Legislation and probable zoning areas."

Commissioner Murphy: "Well, I have been very interested in this because I have an acquaintance, a friend, a John Edmunds, who is a paraplegic and he has worked very hard

with the Muni and various other organizations on this. I did talk to him and he was hoping that a couple of the men who worked on this very hard would be here tonight to testify. I don't know if they are or not. In any event, are you here? Oh good, and he gave me some ideas which he has not worked on himself but he wants to be sure, I think the group that he is in contact with wants to be sure, that not every place is made blue or that the kind of situation which would be very helpful to them, I am glad you are here to talk about it but he offered to help on it."

Captain Seghy: "Fine, I would ask that the gentleman put himself in contact with Sergeant Etherington of Traffic Survey."

Commissioner Murphy: "I will give you his telephone number right here, right now."

Commissioner Gallegos: "Captain, the question now of identifying locations that are most likely to be canvassed for Blue Zones, I had a question with respect to vehicles, as to what kind of vehicles could be parked there, for example, the D.V. License Plates or for example, the vehicles that transport the handicapped, like the recreation for the handicapped which they obviously do, I don't know if they have special license plates, but they are clearly marked in that manner so what kind of vehicles would be authorized to park there? How would you know if an automobile was indeed being used to transfer handicapped persons?"

Captain Seghy: "Short of enabling local legislation we would follow the requirements of the vehicle code which specify those vehicles with their type license. There is....you have the right to enact enabling legislation locally, my personal feeling is that you have to be a little cautious because of the people who would not be utilizing these Blue Zones to the detriment of those who are certainly entitled to these zones. The Department of Motor Vehicles seemed to have put fairly stringent standards for their use and I would think that is really for the benefit of those who have to use them."

Commissioner Murphy: "I think one of the points John made was that they really was not so concerned about having places in front of 450 Sutter for example, a Dr!s Office, it is more for shopping and that kind of thing that they wanted the people to have the privilege of parking. It is so difficult for them to get into stores. It is not for hospitals, it wasn't for office buildings where doctors were and that sort of thing. Maybe we can hear from this gentleman here."

Mr. Ray Muzzeta: "My name is Ray Muzzeta. I am the President of the California Association of the Physically Handicapped here in San Francisco. We are the group responsible for the Resolution that brought this matter before the Police Commission. I agree with what you say. I think what we are really after is the establishment of

Blue Curb zones in various parts of San Francisco. What I would really strongly suggest rather than completely take up a lot of your time, perhaps we can get together with the Captain in the Traffic Bureau and with other agencies we would be willing to coordinate this meeting and we could sit down and perhaps prioritize areas in San Francisco where we would like to see Blue Curbs established and then come back to the Commission with those specific plans which has been approved by the various agencies and consumer groups in San Francisco."

Commissioner Siggins:"How does that sound to you, Captain?"

Captain Seghy: "We would welcome input from anyone who is knowledgeable in this field."

Commissioner Siggins" "Do I understand it now that the Vehicle Code sets up some kind of standards?"

Mr. Muzzeta: "Correct. Usually it is the loss of a limb or use thereof one or more limbs or using a mechanical device."

Commissioner Siggins: "It sets up a standard for someone to qualify to use the Blue Zones but doesn't it leave it up to the City or the local.....?"

Captain Seghy: "As I understand it Commissioner, you have the right to go beyond that limit in setting up a Blue Zone whenever it's needed for disabled individuals and you can go beyond the tight limitations if you so desire."

Commissioner Siggins : "Well that is fine, we can get something started."

Commissioner Murphy: "I think that is great, that is certainly what John wanted and what I was interested in."

Commissioner Gallegos: "Mr. Muzzeta, I am curious to know how many stores for example, or shopping centers are cooperating with you. For example, when you send a letter asking them to set aside a certain number of parking stalls that are within close range of the store that could be set aside like in Stonestown or different Supermarkets, have you had any luck in getting any response from the shopping centers?"

Mr. Muzzeta: "Well, we haven't really to this point, actively gone out and tried to negotiate with the various places to get them to set aside areas. I know in other communities that there has been a lot of moves towards actively going to shopping centers to get them to set aside spaces and they are pretty successful in

other cities. I know, like for example, the Civic Center in Hayward, they have four spots in which they are.....indentifying spots, we have that here in San Francisco at the Airport. There is about 8 spots."

Commissioner Siggins: "It is still a matter of education, knowing what a Blue Zone is."

Captain Seghy: "Additionally, I would hope when we begin the program, people can become aware of them that we will receive applications, just as we do for any other type zones and for those who want them, we will survey them in the same manner and have them before the Commission as they are proposed."

REPORT OF CAPTAIN OF TRAFFIC, ROBERT C. SEGHY, RE: NEW PROCEDURE FOR INSTALLATION OF RED, YELLOW AND GREEN ZONES.

Captain Seghy: "Mr. Commissioner, we have at this time, close to 14 locations since we initiated this action and we have nothing before the Commission in the way of public notification this week. Next week there is one application that has a letter on file, an individual protesting the Green Zone location on O'Farrell Street, the 600 block. We had two locations for revocation coming before the Commission on the Consent Agenda this evening, both of which were posted but received no public notification. But then of the 14 locations that have been posted, we have one public response."

Commissioner Siggins: "When you say no public notification, you mean?"

Captain Seghy: "No one notified the Department in any way."

Commissioner Ciani: "It is nice to get some reinforcement that you are doing things right. I still think that it is a measure of success, though, I wouldn't expect a deluge of responses to this type of notice. I think it is the provision of a fair procedure that is more important than how many people actually respond to it."

Captain Seghy: "Well, if I may say, when we first did this I wasn't too sure about it, but I saw that Mission Street fiasco where they are going to block off all of Mission Street and nobody around here knew about it, but it seems that a notice like this might have helped."

Commissioner Murphy: "At least they would have had a chance to protest."

Commissioner Siggins: "Okay, thank you, Captain Seghy."

RESOLUTION NO. 245-76

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CHINATOWN RICKSHAW PERMIT) HEARING TO REVOKE - CONTINUED TO SEPTEMBER 1, 1976

WHEREAS, there was granted to Edmund L. Jung on August 10, 1964, a permit and/or license for the operation of three (3) Chinatown Rickshaws; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Edmund L. Jung was not operating his Chinatown Rickshaw, and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Mr. Edmund L. Jung appeared before the Police Commission on Wednesday, July 30, 1975, Wednesday, October 8, 1975, Wednesday, December 10, 1975, Monday, February 9, 1976, Wednesday, March 17, 1976,and on Wednesday, June 9, 1976, and each time requested an extension of time to allow him to resume his Chinatown Rickshaw service; and

WHEREAS, the Police Commission feels that an additional extension of time should be granted to Mr. Jung because of planned public hearings to be held by the Police, Fire, andSafety Committee of the Board of Supervisors which may bring about legislation and authorization for him to charge a higher fee for the passengers utilizing his rickshaw services; therefore be it

RESOLVED, that the request of Mr. Edmund L. Jung for an extension of time to which the Police Commission does hereby grant to September 1, 1976, to resume his Chinatown Rickshaw service, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LEROY HENRY, JR., INGLESIDE POLICE STATION

The hearing of the appeal of suspension of Police Officer Leroy Henry, Jr., was called, it having been set for this date. Officer Henry appeared in person and was represented by Mr. Bertrand A. Bley, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. William W. Henry
Independent Newspaper Carrier
335 Grove Street
San Francisco, California

Police Officer Budd Armstrong
Central Police Station

Police Officer Aaron O. Barnes
Central Police Station

At this time, Mr. Bley made a motion for a Summary Judgment to set aside the Chief's suspension of Police Officer Leroy Henry, Jr. The motion was denied by the Commission.

The following-named witnesses appeared for the Defense, were sworn and testified:

Police Officer Leroy Henry, Jr.
Ingleside Police Station

Ms. Genevieve Gross
801 Jones Street
San Francisco, California

A closing argument was then presented by Sergeant David P. Roche, Legal Office.

A closing argument was then presented by Mr. Bertrand A. Bley, Attorney at Law.

The Commission took the matter under submission and then recessed from 2120 hours to 2130 hours after which the following resolution was adopted:

RESOLUTION NO. 246-76

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LEROY HENRY, JR., INGLESIDE POLICE STATION.

WHEREAS, Police Officer Leroy Henry, Jr., Ingleside Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of one (1) day, effective 0001 hours, Thursday, May 13, 1976, and terminating at 0001 hours, Friday, May 14, 1976; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Leroy Henry, Jr., Ingleside Police Station, did file with the Secretary of the Police Commission a written appeal of his supension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, June 9, 1976, and on Wednesday, June 9, 1976, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Leroy Henry, Jr., are sustained by the evidence presented at the said hearing held on June 9, 1976, and that Police Officer Leroy Henry, Jr., violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of Police Officer Leroy Henry, Jr., Ingleside Police Station, from duty without pay for one (1) day, effective 0001 hours, Thursday, May 13, 1976, and terminating at 0001 hours, Friday, May 14, 1976, be, and the same is hereby affirmed and approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

101 VALLEJO STREET - THE COMBINE

A) At 101 Vallejo Street, revoke existing 25' red zone - (45' - 70' west of Front Street.)

APPROXIMATELY #36 FIFTH STREET - POLICE RECOMMENDATION

b) At approximately #36 Fifth Street, revoke existing 42' yellow zone - (30' - 72' South of Market Street).

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 247-76

BARBARA FLORENCE AND JERRY FLORENCE AND THEIR ATTORNEYS BRUCE E. KRELL AND RICHARD J. WERTHIMER

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Barbara Florence and Jerry Florence in the sum of $6,785.00 in Superior Court Action No. 660-180 entitled "Barbara Florence and Jerry Florence vs. County of Santa Clara, State of California, City and County of San Francisco, et al.," as the result of damges sustained, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Lieutenant William J. Kelly, Richmond Police Station, for service, effective May 1, 1976.

b) Inspector Leon A. Getchell, Narcotics Bureau, for service, effective May 12, 1976.

c) Inspector John L. Lanthier, Juvenile Bureau, for service, effective May 12, 1976.

d) Police Officer John LeHane, Permit Bureau, for service, effective May 12, 1976.

e) Police Officer John J. Reed, Legal Office, for service, effective May 12, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 248-76

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer George A. Moissant,Jr., Taraval Police Station, was suspended without pay effective at 1840 hours, February 16, 1976, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer George A. Moissant, Jr., has requested an extended Leave of Absence Without Pay for a period of sixty day from June 16, 1976, pending his hearing before the Police Commission; therefore be it

RESOLVED, that Police Officer George A. Moissant, Jr., Taraval Police Station, be placed on an extended Leave of Absence Without Pay at his request for a period of sixty days commencing June 16, 1976, pending his hearing before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 249-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is

hereby requested to draw a Supplemental Appropriation in the amount of $46,550 from any legally available funds, and credit it to the following appropraitions in the amounts indicated:

Appropriation No. 6.161.110.000.000 Permanent Salaries-Uniform Force	$29,328
Appropriation No. 6.161.863.000.000 Mandatory Fringe Benefits	
Appropriation No. 6.697.860.000.000 Retirement	$16,894
Appropriation No. 6.699.865.000.000 H.S.S.	328

in order to provide funds for one (1) Q80 Captain of Police for fiscal year 1976-77.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissoner Hall

RESOLUTION NO. 250-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT RICHARD D. KLAPP, PERSONNEL AND TRAINING, TO ATTEND A TRAINING MANAGEMENT COURSE AT ST. HELENA, CALIFORNIA, FROM MAY 16, 1976 TO MAY 28, 1976, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Richard D. Klapp, Personnel and Training, received permission from the Police Commission to attend a Training Management Course at St. Helena, California; and

WHEREAS, Lieutenant Richard D. Klapp, did travel to St. Helena, California, to attend said course from May 16, 1976 to May 28, 1976, inclusive; therefore be it

RESOLVED, that expenses in the amount of $302.50 incurred by Lieutenant Richard D. Klapp, Personnel and Training, while attending the course are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, June 1, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	42	53
Daily average for the week disabled	112	116
TOTALS	154	169

This is a decrease of fifteen (15) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.32	2.95
Daily percentage for the week disabled	6.53	6.70
TOTALS	8.85	9.65

Disabled at start of week	118
Started during the week	7
Returned during the week	15
Disabled at the end of week	110
Net Gain or Loss	-8

Sick and Disabled for week ending Saturday, May 5, 1976 at 2400 hours:		Sick and Disabled for week ending Saturday, June 14, 1975 at 2400 hours:	
Daily average for the week sick	44	Daily average for the week sick	56
Daily average for the week disabled	120	Daily average for the week disabled	71
TOTALS	164		127
Daily percentage for the week sick	2.40	Daily percentage for the week sick	2.97
Daily percentage for the week disabled	6.84	Daily percentage for the week disabled	3.91
TOTALS	9.24		6.88

The report was ordered filed.

The Commission then adjourned its meeting.

SECRETARY

16 JUNE 1976 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 16, 1976 at 1730 hours, in regular session:

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of June 9, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REMARKS BY THE HONORABLE GEORGE R. MOSCONE, MAYOR OF SAN FRANCISCO

Commissioner Siggins: "On behalf of the entire Commission we extend our greetings to the Mayor. I think this is the first time a Mayor has directly addressed a Police Commission except maybe on a certain item."

Mayor Moscone: "Let me, Mr. Chairman and members, give you some idea of why. First of all, I think this Commission certainly would know that I am not here to give lectures because maybe if anything, this is my pet Commission, if for no other reason the fact that it is the first Commission I had the privilege to appoint. So it is obviously not to do that. It is however, to encourage you to do some of the things you are already embarking upon and to suggest to you some other things that need to be done. I think you know that I made a pledge to you when you agreed to take this position, that I obviously regarded you as my Commissioners but I did not intend to usurp your sense of independence since I don't think I would want anybody to serve whose only role as they saw it was to be a rubber stamp, but simply people that would take some direction in the form of constructive direction and that is what this is. This is about, I guess, the fourth meeting I have had. Yesterday it was the Redevelopment Agency, tomorrow it will be Planning and we've had the Manpower Council and the Art Commission and I wanted to be able to, before we get too deeply into the summer, be able to have

addressed all of the Commissions in this City with some idea of what I would like this Administration to stand for and that is true whether they are my Commissioners or they are holdovers from previous Commissions,as it is certainly the case on some important Commissions. When I first talked with you I asked you to be diligent and to appreciate the fact that I wasn't going to be giving you anything that was a plum, that you were going to work very hard and in just six months now I see that you obviously have taken that charge pretty seriously. Because, while you have met twice a week as a general rule, I think the untold number of hours that I have already been aware of where you have participated and several times I have discussed matters with all of you on the telephone on general policy adds up to countless numbers of hours. So I commend you for that and I obviously urge you to continue to do that. Reputedly, you are the hardest working Police Commission in the history or at least in recent memory and that goes very well I think. Now your work today clearly indicates that you understand the role of the Police Commission. You have added establishing priorities for police service which meets the expectations of the people of this city. I am convinced that the citizens foremost expectations is that they can depend upon the police to protect their person and property whenever they are threatened. Providing this degree of security should underlie all else that the Commission may do to improve the police force. If the people of this city fear walking down Market Street or any other street in our city without being hassled, hussled, or having to look over their shoulders then obviously this city and this administration, in particular, is missing the point and we are then absolutely certain to lose the distinction of being a city that people enjoy living in, working in and visiting. As these go, so goes the economic and social life blood of our community. I know that you have been inundated with demands from business people, particularly in the downtown sector of San Francisco and I don't know how many people outside of the working press and you yourselves and those business people who appreciate this. But while they still believe that more can be done, the fact remains that even those who continue to demand greater protection for their economic, if not their personal rights, do concede that you and the Police Chief and the other members of the police department are trying to do all that is possible within the proper set of priorities of this city. So I encourage you once again to continue to work with them and obviously that same statement can be made with respect to the smaller business people in the community as well as the obvious need for neighbors to feel that their Police Commission and their Police Department are terribly responsive to their needs. We think something that proves to be a rather difficult political statement on my behalf during the course of the Campaign because people read maybe different things into it but we talked about the need to make sure that we had as many police personnel on the streets as the budget of this city would allow and I think you are well on the way of doing that, you and the Police Chief and the hierarchy of this city have done a great deal throughout the budgetary process to work with us, to be able to put as many civilians

in places that could be performed by civilians thereby releasing highly trained, well trained police personnel to do the very difficult job for which they have been trained and I again tell you that this is a direction in which we must continue to surge because of the fact that not in the too distant future but certainly not the foreseeable future, is there going to be relief for the property taxpayer of this city and yet the demands for police protection from highly trained police personnel are going to be upwards at alltimes. According to the latest crime statistics for our city, there were more than 300 assaults, 442 robberies and almost 1900 burglaries in San Franciscoin May. Fear for our person and our property has forced us to change our life style and substantially curtailed our personal freedom. Many people live behind locked doors and public and private cultural and recreational facilities are given only limited use in a city that can boast of that plethora of cultural activities probably better than any other city in this country, if not indeed, the World. Often times when people venture up the expanded limited resources driving your taking cabs rather than chance walking or riding on public transportation. You have seen the disabilities we've had where people who are not terribly pragmatic who reach out to the most simplistic answers said that's very simple you have trouble on a Muni Bus you simply dispatch an entire cordon of policemen 24 hours a day to ride our particular Muni Busses. You know you can't do that, you know you have got to be careful with the budget of this city and the same time you know also that you can't stand idly by while that area of violence is a matter of deep concern and it's preventing people from enjoying the benefits of public transportation and thus far I think you have done a decent job and within the resources you have done an excellent job. And I think you can look forward to more help from the Mayor's Office to be able to embellish upon that and the fact that you can't respond immediately to the complaints of people who want somebody right now is something I am sure that is frustrating to you but your responsibility is to try to explain that you are doing what you can and that you will continue to perservere and do more. Now even when the danger of this city is fancied and not real and that is often the case too, it's no less inhibiting. And this is why I think from the outset it was essential to have a police presence within our neighborhoods in San Francisco. Whether in fact a policeman walking a beat or even patroling with some regularity in fact stops a burglar or a rapist hell bent on the crime, the fact is that it gives people a sense that people care in government that their police department cares that gives them a greater sense of participation in this cities life, and I want you to know this, I would've enjoyed very much a limousine. Frankly, I mean I didn't think it was good to get elected to high office to wear a Hair Shirt, but it seemed to me that if I was going to be encouraging the people of this city to not be as fearful as they have been, then for me to have that, together with three policemen around the clock to protect me, it makes me in a very difficult situation to be able to explain to them that they ought to feel some freedom of action in their city. So it is true I think that many things have to be done, much of it symbolic, but also much of it is just as real as could be and I urge you to keep that kind of consideration in the forefront of your deliberations as you

deal with the problems that come before you.

Now we have talked about the problem that primatically stand up here and tell you what you know, this city has diffuclt problems throw out all the statistics and it doesn't make people feel any better about it. Statistics ought not to govern the way in which you doncudct yourself or the way in which you direct this police department and I would ask you as a further fact not to be so concerned about statistics. They say what they want them to say, you can do anything you want with them, if you want to tell everybody things are fine you can doctor up statistics and say look we went down this month. That does not make anybody who has been hassled or feels that they will be hassled legitimately, any better, the fact remains that they are shut in in far too many places and I ask you therefore to deal with the realistic and not with the statistic with which I have given you very little. Now there is another concern here, and people have come to me on several occasions, one in particular who I will not relay, with a rather difficult situation, this person obviously had a problem. A problem that demanded attention. There was physical evidence of that fact and unless the person was absolutely psychotic and went out and beat themselves up or had somebody work on them, this is a person who did not frequent places where that would be anticipated and was really being harrassed both in private and in public life. It was absolutely essential, she said, that everyone who walked in the vicinity of her store who did not have a business card on them ready to do business within the proximity of about a block and a half be at least detained for a substantial period of time. It is very difficult for me to tell them that this city can not and would not do that. That we are not going to be attacking the sub-cultures of this City nor the casual of this City who don't fit into a particular stereotype, you know that, I know that, but people in distress can't appreciate that particularly when they don't understand that kind of lifestyle in the first instance and so as a consequence your job is all the more aggravated and I appricate that fact and you responsibility to be able to explain to these people in your open public sessions is absolutely essential. I understand that you are going out into the neighborhoods now, encourage whatever talks that takes place, don't keep them within guidelines or that is not on the agenda, you can't say this, I mean you are business people and you are lawyers and you like to do that because that is your own personal schedule, but as you know I think, I suspect you know that's not the lifestyle of many people who have legitimate concerns about the operation of the police personnel of this City, listen to it all and I am satisfied that you will not only be able to sift out the kind of important data that can be implemented into new processes for our police department but you will also be doing that very critical act of showing people that you care and also at the same time explaining to them someof the things that they have no right to anticipate. We politicians and you Bureaucrats sometimes when you didn't have to make an immediate decision have been quick to say, myself included, well that's outrageous and we will take care of that immediately, or, oh I don't think that is a good idea what is the matter with the present people that are in charge that they haven't stopped that, but you've got the buck before you now and you know that you can't make those easy decisions, so you have got to be spokesmen, if you will,

of the law, of the constitutional rights of people even when often times it hurts to do so, because the person standing before you is obviously a victim who really didn't have much of their constitutional rights respected at a given period of time. But you are spokesmen now as well as administrators of a very important adjunct of San Francisco City Government and I urge you to fully appreciate that. Alright, let's talk a little bit about joint problem solving, and then I will start to move into the finality here. It seems to me that the public's accessibility to line officers is every bit as important as their accessibility to you and to the Police Chief. Their ability to meet often with the police within their communities is maybe even more essential than their ability to meet with you or some of the brass. I am aware of the plans to involve officers at the District level more directly in community affairs by having them attend the meetings of neighborhood groups I know for business men. As police related problems from traffic congestion to assaults and burglary are identified and discussed, the line officer would be available both to solicit and to suggest possible solutions. Subsequently, the officer would be responsible for reporting to the group regularly insuring with them departmental plans to help alleviate the problem. This continuing contact will enable both the residents and the officers to determine whether or not their plans are being affected. I have little doubt that at Mission Station with this effort the joint problem solving is presently being tried, the experience has been beneficial to officers and residents alike. Once this inner-action has become routine in all of the districts of this City, I can't imagine any neighborhood group alleging that the police are unavailable, insensitive, or completely removed from genuine community concerns. And so it's not just you, it's not just the brass, it is the every day line officer who has got to share his problems with the problems of the community and in turn receive the kind of suggestions that a victij, only a victim can know is best suited to a solution within a given community. During that hiatus between my election and the time when I, in fact, took office, there was a meeting in a segment of San Francisco that really has been pilloried with burglaries and assaults and the fear that rambled through that sub-district was really incredible. In an effort to show that I cared, I accepted the invitation to be present and there were police personnel. Police personnel, not just brass, but the person who walked the beat out there and I dare say, I dare say that they learned a great deal from the very literate people who were there telling of some of their problems and by the same token the people in that community found out th eproblem of a given officer who patroled their particular neighborhood so they had a better understanding of what the problems were. And I might say that a couple of awful helpful hints that were terrbily newsworthy to me were just as newsworthy in that community on smaller matters on how to protect their own property, how to make a report that could be immediately acted upon and save precious time to give the police officer an opportunity not only to apprehend, but maybe even to get the goods back. So, it is so beneficial, you've embarked upon it, I say it ought to be the case throughout all of this City and I dare say if there was anything in the police department

that could be changed to improve the moral of the policeman, not to mention the person out in the street is to know that when he walks into that community there is not the frozen atmosphere that so often meets the police officer but a warmer one because that police officer has been there before. I don't believe in crazy images that the policeman is going to pluck an apple and wink at the grocer and know everybody by their first name. Times are not that sweet any more. But it doesn't mean that they can't know some people certainly by sight and they certainly ought to be people who are recognized equally by sight and there ought to be some kind of inner-action between them other than that inner-action that takes place only in the trauma of some kind of a police incident. Well, let me say a couple of other things that came of that meeting because they relate to my prepared remarks here. I think it is essential, I hope I am not misunderstood, because I know how sensitive people within the force are about it, but I mean it in a sense of constructive criticism and that is, that I don't know the percentages but I expect that the disparity between the number of complaints that are made and the immediate action that can remove the basis of that complaint are awfully wide, awfully wide in the nature of crime. The people flee. They don't wait or stick around and they don't mail back the goods they have stolen or they don't do things like that. The very nature of the problem is one I think that says very little direct results, the direct result means healing the wound or returning the property as compared to the number of complaints. So what do you do? What do you do when you do that? You make up for it in the only ways you can, high degree of courtesy, high degree of sympathy, and I know it is easy for me to say, if I have been out chasing people all night and being harrassed all night, being threatened all night not to mention the normal problems that any police person has whether a policeman or not it is very easy for me to say, put a smile on your kisser. But the fact is that that's one of the reasons that we should be looking up to our policemen and why I think we will even more so if it becomes part of an everyday and everynight routine. So to make up for the lack of direct success that any police department has to endure, I think there has to be enculcated within the Department, you don't demand a smile, you don't put signs on them, smile today or something like that, but some kind of atmosphere has to be premeated throughout the Department, throughout the Hall of Justice, throughout the Mission, the Taraval, the Ingleside, Central, everywhere, everywhere that we are courteous servants of the people and we are going to give you respect because I think they can then say, and then we know we are going to get the kind of respect from you that has been sadly missing for so very long. I will not tell you how to do it because I don't know. I don't know how to do it. But I mention it tonight because I think it ought to play almost as large a role as the more traditional ones that determine how many patrol cars are you going to ask the Mayor for? How many of this or that or other personnel are you going to ask the Mayor for, because it seems to me that a very concerned policeman who can be sympathic, who can be empathetic, who can be courteous and who can, within the limits of his time restraints, give that extra degree of service, is better than two of them, two of them who don't bend any effort to do that at all. I really believe that to be the case. So what you may lack in quantity and certainly I confess to that as certain of

the Board of Supervisors should after we've pared your budget down to the marrow, you ought to be making up with quality which I believe is definitely inherent in all the personnel in this city. Well, that's about all I want to say except to tell you that you don't have any idea, you have no idea how I felt the other night when I was asked to deliver a commencement address if you will, I don't know if that is the right word, but an address out at Giannini to those 69 new members of the Police Department. To see the quality of people who were out there and I don't mean just the fact that it was of both male and female gender, but the youth and the enthusiasm of those people, you and I, we all saw the films as part of the program of the strenuous and demanding both intellectual as well as physical training that they went through, you don't know what that does to me as the Mayor of the City to see that come about. But why should that be restricted to me and to you? Why shouldn't you be showing them to people out in the community what police officers go through? Not because to feel sorry for them but to get a closer empathy with that Police Department. So I am saying that not only must a police officer be concerned about bolstering the morale of the resident, but the resident has to know more about the policeman and it shouldn't be restricted to watching police story once a week on television as good as that program might be. We've got it right here in real life and I think you ought to spread that resource because I think it has a contagious and importantly good effect among the citizens of this City. So I think you and I will tell you this, within the restraints and believe me there are so many in this City, I can't begin to tell you the financial difficulties of this City and I am not here to play violins for you, but that demands that we hone our priorities even finer, even finer than ever before. I tell you we've done it in our office. The jobs I would like to fill that I can't of people of tremendous talent who frankly would be of great political advantage to me because they are that talented and that well known and that well respected. I can't fill them. I can't fill them because the money is not there and I know you are experiencing the same thing that ought to heighten our sense of position about what we do with the limited resources we have and when you think about resources it is not just money, it is the 18 or 1900 people in this City who are charged with keeping the public peace and at the same time maintaining a sense of respect for the constitutional rights of everybody. The biggest slob and the most elite in there. I think we can do that and maybe we are demanded to do that more than ever before in our history and I feel very good knowing that the quality of the Commission that's here and when you have problems as you will, you are to call the office and I will do what I can to make those problems lighter. Because I will certainly call you as the citizens of this city who feel they are not getting a fair shake of the dice rightly or wrongly call me each and every day all day. So we work together and I think we can do something good to see. Thank you."

Commissioner Siggins: "Thank you Mr. Mayor. The things that you have mentioned, I assure you are shared by the

Commission, the Chief and his entire staff."

Mayor Moscone : "Oh you will also enjoy getting out into those neighborhoods. It's a little frightening at first because they don't follow the rules that we know as a general rule, but you will also be enlightened to find out that their version of the rules oftentimes ought to be amended into ours, it gives a much better sense of cooperation. I don't say that casually, it is a fact, very difficult, but it is a pleasure in hindsight to have gone through it and become better people for it."

Commissioner Siggins: "Thank you very much Mr. Mayor."

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, if I may tonight in my report, in view of a news report yesterday in regards to our policy and practice on writing traffic citations in the Patrol Division, I will have Supervising Captain Donald Taylor comment to you tonight upon a meeting he had with his staff to the point of increasing productivity within the police department and specifically to talk about the comments he made and the instructions he gave to his staff about writing traffic citations in the Patrol Operations."

Captain Taylor: "Mr. President, members of the Commission, at a meeting held with the District Captains on June 3, 1976, there were over 31 items discussed over a period of 2 and 1/2 hours and before I announced the meeting, I sent out to all those who attended the meeting the subject of traffic citations came up and it was the direction of the District Captains that an average of citations be a quota of one (1) a day for the average officer and for each radio car crew, be obtained. That is about five (5) minutes of an officer's time in an eight hour tour of duty. We also stated at the meeting that the number of accidents and deaths in the City require that every officer give those a particular amount of attention for that particular phase of Law Enforcement and we feel that officers in a black and white police car must not ignore hazardous moving violations. We feel that that number quoted is neither mystical or difficult."

Commissioner Murphy: "In other words you are saying that these are the standards that you want them to meet. Is this only for moving violations?"

Captain Taylor: "Hazardous moving violations."

Commissioner Gallegos: "What is the practice in most cities in the handling of moving violations, is it done inter-changeably or is it the people who wanted it?"

Captain Taylor: "The policy varies from city to city. Some cities do not have an exclusive Traffic Bureau and so it behooves the patrol officer to understand full well that they have a concurrent duty to enforce all the laws. Here with our division of the patrol function and the Traffic, it is a tendency on the part of Patrol personnel to feel that the traffic function is the responsibility of the other officers or the other divisions. And really the job is too big for one division to really handle."

Commissioner Gallegos: "On the question of Traffic; you really have most of your ticket citations for traffic during the day, don't you?"

Captain Taylor: "Moving violations occur all around the clock, Commissioner. We have empirical data as to why the accidents are occurring as well as to the time and places and frequency and this information has recently been distributed to the district stations and it does occur around the clock, the peak hours, of course, are the evening and lunch hours and it has a tendency to diminish up to 10 o'clock, at which time it begins to climb again and peaks again around 2:30 in the morning and then it doesn't start climbing again until about 7 in the morning. The moving violations are our concern all around the clock. Some of our most serious accidents and fatalities occurred within the early morning hours."

Commissioner Murphy: "A parking control person cannot give citations for a moving violation, is that correct?"

Captain Taylor: "That is correct, they may not."

Commissioner Murphy: "Even though they see it and there is no one else around?"

Chief Gain: "If I may comment also on this subject matter. It is generally recognized in policing that about 40% of the traffic citations for hazardous moving violations should be written by patrol officers and not have a situation where there is a traffic function that the traffic officers write all the citations. We,particularly now, in view of the decrease, we are going to experience in the solo/motorcycles cognizant of that must increase productivity in patrol. So that is the whole import of what we are doing. And certainly what is expected of patrol officers is that during their course of duty when there are not higher priority matters for them to address themselves to and they see a traffic violation, then they should take enforcement action. So that is the import of what Captain Taylor is doing."

Commissioner Gallegos: "Well, I would hope we would be seeing this whole issue of traffic safety as not just a matter of trying to increase revenue for the City. I mean, it's a matter of basically a more efficient and effective use of personnel...."

Chief Gain: "Nothing to do with revenue. We are going to operate on the basis of what is called selective enforcement. The traffic bureau will generate, and are now, list of locations where accidents occurred, the types of violations that result in an accident occurring. So there are specific locations for patrol officers to concentrate upon and they will be focusing their attention upon those types of violations, going through red lights, stop signs, speeding, whatever results in a traffic accident."

Commissioner Ciani: "And you will be identifying specific locations, for instance, of accidents?"

Chief Gain: "Yes, that material now does go out to the district stations.

Commissioner Siggins: "I didn't hear of the meeting in the first place. How could somebody criticize something like that?"

Chief Gain: "Well, there was a report on the meeting. It was to the point that there has been a quota system established for writing citations and I think the effect of the statement was, that it perhaps would not benefit policemen nor citizens. Something along that line and then I have had some inquiries about it today and that is why we bring it before the Commission. We are here to try and do our job of enforcing, in this case, traffic laws and the minutes of the meeting that the Captain referred to were distributed as is usual to the participants of the meeting and I received a copy. Somehow a copy got out and some people seem to want to make big issues out of nothing."

Commissioner Ciani: "It is unfortunate the word "quota" is used because what you are really describing is merely a reminder of what the priorities are and that everyone share equally the responsibility to enforce all the laws. I think a danger lies in would-be violators getting the impression that only a particular type of officer is going to deal with a particular type of offense because they will feel safe in committing an offense in front of the others. I think we have found that with the Muni. Those who do ticket in the Muni Zones are the only ones who do ticket in those zones and so people feel free when there is no Muni person there to park in those zones."

Chief Gain: "Captain Taylor in his minutes used the word "quota," and by definition of course, what that means of course, is he just wants officers to take action in regard to traffic and whatever it may be. Maybe from a standpoint of people getting some wrong impressions from the use of that word it is well just to have the common word, the only thing that we mean is for the officers to do the job in regard to all the various tasks that they have to fulfill, including traffic. It is really a work-measuring device. That is what it amounts to. That concludes my report, Mr. President."

Commissioner Siggins: "Thank you, Chief."

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. An Order of Final Distribution No. 196 370, in the matter of the Estate of Armand Moulia, deceased, Superior Court of the State of California, dated September 23, 1975 and filed September 26, 1975, and signed by Judge S. Lee Varvuris, Judge of the Superior Court, City and County of San Francisco, California. The transferee appeared in person and was represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Estate of Armand R. Moulia (deceased) 4426 Cabrillo Street San Francisco, Calif.	Armand T. Moulia Trustee under Will of Armand R. Moulia 390 Via Casitas Greenbrae, California	3

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 251-76

REQUEST OF THE GRAY LINE, INC., FOR PERMISSION TO SUSPEND OPERATION OF SIGHTSEEING PERMIT FOR A PERIOD OF NINETY (90) DAYS PURSUANT TO SECTION 179 OF THE POLICE CODE - APPROVED

WHEREAS, there was granted to The Gray Line, Inc., on February 5, 1963, a permit and/or license for the operation of forty-three (43) sightseeing buses, and

WHEREAS, on June 7, 1976, the Police Commission received a letter from Mr.James J. Mulpeters, President of The Gray Line, Inc., stating that due to a work stoppage by Gray Line Drivers, The Gray Line is currently unable to provide sightseeing services as authorized by the Commission and in accordance with the San Francisco Municipal Police Code; and

WHEREAS, Mr. Dana L. Matonis, Operations Director of The Gray Line, Inc., appeared before the

Police Commission on Wednesday, June 17, 1976, and requested that their permits be placed on the shelf for a ninety (90) day period pending resolution of their labor difficulties; and

WHEREAS, the Police Commission feels that under the circumstances the request by The Gray Line, Inc., for their permits to be placed on the shelf for a ninety (90) day period should be granted; therefore be it

RESOLVED, that the request of The Gray Line, Inc., that their permits be placed on the shelf for a ninety (90) day period pending resolution of their labor difficulties be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

PUBLIC HEARING RELATIVE TO THE SAN FRANCISCO POLICE DEPARTMENT PROPOSED PROCEDURES FOR FIELD STOPS.

Chief Gain: "If I may by way of background, what occurred was that approximately on March 8th, of this year, members of the White Panther Party and others perhaps, but principally members of the White Panther Party, had requested a meeting with the Chief of Police in regard to what is commonly referred to as witness guidelines. They asked for that meeting because they had taken exception for quite some time to Police Department regulations of governing and protection of the scene of a crime. We met and from the beginning it appeared that we might not agree on a final procedure. That eventually did occur where in a document dated May 7th, submitted by them, there was an impasse, to use my word on a couple of the provisions and principally, one of the provisions. In accordance with our understanding, we had ongoing as we met, we then took that final draft and submitted it to staff and then as Captain Donald Taylor will explain, we undertook a participatory management process where a sub-committee was established and then eventually Captains and others in the Police Department were asked to comment upon the procedures, which eventually were submitted to the Commission. That, briefly, is the background. I felt that our meetings were amicable and to a good point of establishing guidelines, which were reasonable so as to have as clear an understanding as we could as to police authority and responsibility became an incident and also as to the rights of citizens who would be onlookers at the scene of the incident. If I may now, I will have Captain Taylor to explain the internal process that was used that resulted in these guidelines and then speak to the guidelines themselves briefly and that will be our presentation."

Commissioner Siggins: "Chief, up to this time there were no guidelines, witness guidelines?"

Chief Gain: "Up to this point, no sir. We are proposing that these guidelines, or whatever guidelines ultimately result, based upon these hearings, become a part of our Patrol Officers Manual. That Manual is now void of such guidelines, the particular regulations that I referred to about the protection of a crime scene that still stands and serves the purpose specifically of a Crime Scene. These procedures will relate to an incident that occurs on the street where policemen makes an arrest, stops someone to detain them and citizens, onlookers as it were, gather around the scene of the incident and it defines then the authority of the police and the right of citizens to look on and observe what is taking place."

Commissioner Ciani: "Chief, would it then be that any violations of these guidelines would be grounds for disciplinary action? Would they be incorporated in the.....?"

Chief Gain: "Yes, they would be a regulation, a procedure, but they are regulations and if there was a situation where a policeman violated the regular procedures we set forth, then he would be subject to corrective action, which could amount to counciling, training, or some form of disciplinary action, depending upon the circumstances, but it is a regulation that we are proposing."

Commissioner Murphy: "Like a violation of any regulation."

Chief Gain: "Same as any other regulation. It depends on, of course, the particular circumstances of why the policeman did what he did and whether what he did is within the guidelines or if not within the guidelines, can be justified as an exception. And the Patrol Officers Manual provides for that. So wherever there is a guideline set forth or a procedure, if the circumstances are such that a policeman can support not adhereing to them then of course, that is acceptable but he has to be able to support it. The whole big frame work within which we are addressing ourselves is a matter of discretion by police officers. We feel, it has been long felt in policing of course, that there should be discretionary guidelines set forth for police officers and particularly in those circumstances where there is an issue within a community as to what is appropriate conduct with the police acting out their authroity and what are the rights of citizens? So there is a potential conflict area here to the extent that we can and we should have these guidelines that is the broad frame work that we are operating here. If I may, Captain Taylor would you explain the process internally that took place and then address the procedures themselves?"

Captain Taylor then addressed himself to the internal process in compiling these guidelines and then gave a

detailed explanation of each and every provision and reasons therefore. The procedures are as follows:

GENERAL POLICY STATEMENT:

"It is the policy of this Department that, under ordinary circumstances, people should be allowed to observe police conduct."

VIII. Rights of Onlookers at the Scene of Field Interrogations or Arrests.

A. POLICY. It is the policy of this department that when suspects are detained, stopped or arrested in public areas, citizens not involved in the conduct for which the person is stopped, may remain in the vicinity of the stop as an onlooker, subject to the safety of the suspect and the member. Under ordinary circumstances people should be allowed to observe police conduct.

1. Onlooker remaining in the vicinity of a stop shall not be subject to arrest for violation of Section 148 of the Penal Code, nor shall such person be subject to a "move on" order where the conduct of the onlooker is passive (i.e., the person stands or walks in the vicinity of the walk, or detention, and observes the activity of the suspect or member), unless concurrently there is a need to protect the area for evidenciary search or examination in connection with a crime.

2. A member may order a person to move on if there is probable cause to arrest for violation of Penal Code, Section 148, or if the onlooker is blocking a roadway or with others blocking a sidewalk to the extent that vehicle traffic or pedestrian traffic is impeded. (The onlooker may be ordered to move the distance necessary to end the violation or blocking.)

3. Where a person in these circumstances by physical presence and conduct, in fact, interfere(s) with a stop, he may be subject to arrest for violations of the Penal Code for which the elements of the violation exist. (e.g., 148,404.6, etc.).

4. The member may permit the arrested or detained person to announce his identity to bystanders, provided such action does not delay the member in the discharge of his duties or jeopardize the conduct of the investigation.

5. If the suspect or onlooker by words or actions attempts to incite others to assist the suspect to escape or calls upon others to attack the member, the suspect may be immediately removed from the scene and the offender is subject to arrest.

6. Members are advised that speech alone which is non-threatening even though crude and vulgar is not in itself probable cause for arrest or detention of that person unless the speech directly threatens the safety of the member or other persons. Therefore, the person uttering the words is not subject to an order to move on, or arrest.

7. If an onlooker is a witness to the activity for which the suspect is detained, the member may request the name, address and telephone number of the onlooker. The onlooker may refuse to disclose such information in the same manner as any other witness to refuse to identify himself.

8. The provisions of this order do not apply to those instances where a riot, rout or unlawful assembly has been duly declared or where it is in conflict with oral or written orders of a magistrate or to those areas closed in accordance with 2812 CVC or 409.5 P.C./ or other appropriate law.

The following-named persons spoke in opposition of the procedures and requested the commission adopt the guidelines proposed by Mr. Amitai Schwartz and submitted to the Police Commission prior to this hearing.

Ronald Landberg
437 Cole Street
San Francisco, California
White Panther Party

Amitai Schwartz
814 Mission Street
San Francisco, California
Northern California Police
Practices Project

Ralph Carroll
1315 - 18th Street
San Francisco, California
Prisoners' Union

Larry Brinkin
640 Waller Street
San Francisco, California
Bay Area Gay Liberation

Jean McLean
404 Cole Street
San Francisco, Caoifornia
San Francisco Art Commission

Peter Hagberg
1844 Addison
Berkeley California
Berkeley Police Review Commission

Henry Wilson
378 Waller Street
San Francisco, California
Safe STreets Committee
Gay Teachers Coalition
Bay Area Gay Liberation

Daniel Joseph Silva
3007 - 24th Street
San Francisco, California
Human Rights Commission

Terrence A. Lane
437 Cole Street
San Francisco, California
White Panther Party

Yvonne Golden
742-37th Avenue
San Francisco, California
San Francisco Black Teachers Caucus, etc.

Mary Masterson
1915 Oak Street
San Francisco, California
White Panther Party

'Commissioner" Peter Mendelsohn
34 Rausch Street
San Francisco, California

Arnold G. Townsend
428 Lily Street
San Francisco, California

Mary Vail
641 - 3rd Avenue
San Francisco, California
San Francisco Womens Police Study Group

Wilbert K. Battle
850 Bryant Street
San Francisco, California
Officers For Justice

Bill Martinez
3698 -18th Street
San Francisco, California
Zaks and Harris Law Firm

Wayne Hartman
754 Stanyan Street
San Francisco, California
Haight-Ashbury Neighborhoods
Development Corp.

Alfredo Rodriguez
346 Precita Avenue
San Francisco, California
Mission Community Legal Defense

L. Weissmon
439 Cole Street
White Panther Party

The following-named person spoke in favor of the Department's guidelines:

Rabbi Barbara Goodman
2104 Hayes Street
San Francisco, California
Moorish Zionist Temple Gamaliel
White Victory Tabernacle
Oakwood Abbey

The Commission took the matter under advisement and will render a decision at a later date.

Prior to the calling of the following items, Commissioner Ciani requested to be excused and did not vote upon the following items.

RESOLUTION NO. 252-76

HEARING OF POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION.

WHEREAS, the hearing of Police Officer George Moissant, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George Engler, attorney for Police Officer George Moissant, stated via telephone, that since Officer Moissant is still undergoing medical treatment for his condition that a hearing at this time would be detrimental to his health; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer George Moissant is set for Wednesday, July 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani,Hall

HEARING TO DETERMINE IF PACIFIC PUBLIC CARRIERS COOPERATIVE, INC., ARE VALID INSURANCE CARRIERS FOR SAN FRANCISCO PUBLIC VEHICLES FOR HIRE - CONTINUED FROM MAY 19, 1976. - CONTINUED ONE WEEK

Sergeant David Roche, Legal Office, related to the Commission that late Tuesday, Superior Court Judge Robert Drewes found that the Pacific Public Carriers Cooperative, Inc., had not obtained a certificate of authority from the state Insurance Commissioner.

The judge rules that Pacific Public Carriers Cooperative , Inc., is in "such a condition that further transaction of business will be hazardous to its policy holders, creditors and the public..."

The judge directed California Insurance Commissioner Wesley J. Kinder to take over as conservator of the company. Under the order, Kinder is authorized to take possession of the company's books, property and assets, and may pay or defer payment of such claims as may arise during the period of suspension.

Sergeant Roche further stated that the affected cabs and jitneys will have to show a minimum of $30,000 in public liability and $5,000 in property damages before they can return to the streets.

Commissioner Siggins stated that the Pacific Public Carriers Cooperative, Inc., never pretended to be an insurance company. However, they were trying to qualify as such and it was decided that they would be allowed one more week to see if they could qualify as an insurance company as required by the State of California.

RESOLUTION NO. 253-76

REQUEST OF COMMITTEE CONSISTING OF POLICE OFFICER FRANK RACKLEY, DR. CHRISTOPHER HATCHER, DR. DIANA EVERSTINE, AND MR. ARTHUR BODEN TO PROCEED WITH A MORE DETAILED STUDY OF THE PROPOSED FAMILY DISPUTE PROJECT - APPROVED.

WHEREAS, on May 5, 1976, a committee consisting of Police Officer Frank Rackley, Dr. Christopher Hatcher, Dr. Diana Everstine, and Mr. Arthur Boden appeared before the Police Commission and presented an initial proposal for reducing the incidence of family violence and developing a Family Crisis Intervention Plan; and

WHEREAS, Officer Frank Rackley stated that their objective at this time was to describe the program, and to seek approval of the Police Commission to continue their research so that a more substantive program could be developed and presented to the Police Commission at a later date; therefore be it

RESOLVED, that the request of the Committee on Family Violence to proceed with a more detailed study of the proposed family dispute project, which was reviewed before the Police Commission on May 5, 1976, be, and the same is hereby approved.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

609 O'FARRELL STREET - ACE TRAVELS - CONTINUED FOR ONE WEEK

55 SPEAR STREET - SECURITY-GALBREATH-RUFFIN CORP.

a) At 55 Spear Street, install a 88' white zone, to extend from 217' - 305' north of Mission Street.
(Also permission to display portable No Parking signs in conjunction with this white zone.)

211 RITCH STREET - S.F. SEWING WORKS

a) At 211 Ritch Street, revoke existing 54' red zone.

b) At 211 Ritch Street, install a 54' yellow zone, to extend from 27' - 81' south of bryant Street.

2235 MISSION STREET - GRECO FURNITURE

a) At 2235 Mission Street, install a 34' yellow zone, to extend south of the north property line.

b) Also, remove parking meter MIS-2221.

579 POTRERO AVENUE - PATTERSON FILM CORPORATION

a) At 579 Potrero Avenue,install an 18' green zone, to extend from 17' - 35' north of the south property line.

333 BRYANT STREET - THE CHAIR STORE

a) At 333-339 Bryant Street, install a 36' red zone, to extend from 4' - 40' west of Rincon Street.

1433 - 17th STREET - NIBBI BROS, INC.

a) At 1433 - 17th Street, revoke existing 70' yellow zone.

201-11th STREET - F M PRODUCTIONS

a) At 201 - 11th Street, install a 34' yellow zone to extend from 27' - 61' south of Howard Street.

3737 BUCHANAN STREET - CITIZENS SAVINGS & LOAN ASSN.

a) At 3737 Buchanan Street, install a 23' green zone, to extend from 92' - 115' south of Beach Street.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 124 feet of red and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 254-76

JOHN HASKETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Haskett against the City and County of San Francisco in the sum of $35.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 9, 1975

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RETIREMENTS

Communications were recevied from the Retirement Board officially notifying the Police Commission of the retirement of -the following- named members of the Police Department:

a) Sergeant Donald M. Schmidt, Bureau of Criminal Information, for service, effective June 9, 1976.

b) Sergeant William R. Tregoning, Richmond Police Station, for service, effective May 26, 1976.

c) Inspector William E. Allen, Bureau of Inspectors, for service, effective May 12, 1976.

d) Inspector Martin J. Barbero, Bureau of Inspectors, for service, effective June 9, 1976.

e) Inspector Frank J. Forencich, Bureau of Inspectors, for service, effective June 9, 1976.

f) Police Officer Harold D. Wilson, Bureau of Criminal Information, for service, effective May 12, 1976.

The communications were ordered filed.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 255-76

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the sum of $21,165.00 to allotted funds in Appropriation No. 5.161.120.003.000 (Temporary Salaries - Police Cadets) to cover payrolls for June, 1976.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 256-76

REQUEST TO TRANSFER UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer $4,820.00 from unallotted funds to allotted funds in Appropriation No. 5.161.120 019.000 (Differential Pay-Uniformed Force)

to cover pending and future payrolls, and $6,000.00 to reserve funds to cover adjustment which is pending litigation.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 257-76

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVELING EXPENSES INCURRED BY INSPECTORS JAMES B. JONES AND KENNETH MURPHY, INTELLIGENCE UNIT, TO ATTEND AN ECONOMIC CRIME INVESTIGATION TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM MAY 17, 1976 TO MAY 28, 1976, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Inspectors James B. Jones and Kenneth Murphy, Intelligence Unit, received permission from the Police Commission to attend an Economic Crime Investigation Training Course at Sacramento, california ;and

WHEREAS, Inspectors James B. Jones and Kenneth Murphy did travel to Sacramento, California, to attend said course from May 17, 1976 to May 28, 1976, inclusive; therefore be it

RESOLVED, that expenses in the amount of $372.00 each incurred by Inspectors James B. Jones and Kenneth Murphy, Intelligence Unit, while attending the course are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 258-76

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR BERNARD J. MCKAY, INTELLIGENCE UNIT, AT AN ORGANIZED CRIME ANALYSIS OF TERRORIST ACTIVITY IN SACRAMENTO, CALIFORNIA, FROM JUNE 21, 1976 TO JULY 2, 1976, INCLUSIVE

RESOLVED, that the recommendation of the

Chief of Police that Assistant Inspector Bernard J. McKay, Intelligence Unit, be detailed to attend an Organized Crime Analysis of Terrorist Activity in Sacramento, California, from June 21, 1976 to July 2, 1976, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Bernard J. McKay, Intelligence Unit, in a sum not to exceed $372.00 in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Monday, June 7, 1976 at 2400 hours as follows:

		PREVIOUS WEEK
Daily average for the week sick	53	42
Daily average for the week disabled	109	112
TOTALS	162	154

This is an increase of eight (8) members of duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.95	2.32
Daily percentage for the week disabled	6.28	6.53
TOTALS	9.23	8.85

Disabled at start of week	109
Started during the week	13
Returned during the week	14
Disabled at the end of week	108
Net Gain or Loss	-1

Sick and Disabled for week ending Saturday, May 15, 1976 at 2400 hours:

Daily average for the week sick	40
Daily average for the week disabled	112
TOTALS	152

Sick and disabled for week ending Saturday, June 21, 1975 at 2400 hours:

Daily average for the week sick	57
Daily average for the week disabled	66
	123

Daily percnetage for the week sick	2.10	Daily percentage for the week sick	3.04
Daily percentage for the week disabled	6.45	Daily percentage for the week disabled	3.66
TOTALS	8.55		6.70

The report was ordered filed.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 259-76

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of $5,000 charging same to Appropriation No. 6.161.890.050 as an advance on the Police Narcotic Fund for the month of July, 1976.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

RESOLUTION NO. 260-76

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of $2,500 charging same to Appropriation No. 6.161.890.000 as an advance on the Police Contingent Fund for the month of July, 1976.

AYES: Commissioners Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Hall

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
SAN FRANCISCO PUBLIC LIBRARY

23 JUNE 1976 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 23, 1976 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Gallegos, Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of June 16, 1976, did not approve the minutes on June 23, 1976, but they will be approved on June 30, 1976, after certain changes and corrections have been made.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: Mr. President, members of the Commission, I would like to report on two items. The first has to do with the Field Stop Procedures that were discussed last week. Following that meeting, I conferred with Mr. Lanberg and Mr. Schwartz who presented counter proposals and recommendations and we have another meeting scheduled for Friday. I am hopeful that we can meet and narrow the issues and I intend to present to the Commission by Monday of next week, Tuesday at the latest, a revised Departmental recommendation as regards to Field Stop Procedures then we should be able to narrow issues. I would request therefore, that the Commission Calendar it for next Wednesday, a discussion of the Field Stop Procedures, if that meets with your approval."

Commissioner Siggins: "We still have your,or the Department's recommendation.....".

Chief Gain: "You have our recommendation and my intention is to present it to you, revised."

Commissioner Murphy: "The Departmental Recommendation?"

Chief Gain: "The Departmental Recommendation."

Commissioner Siggins: "Why don't you put it over for another week and then we will see if we can discuss it then."

Sergeant Frazier: "A week from this coming Wednesday, is that it?"

Chief Gain: "I will give it to the Commission by next Wednesday."

Commissioner Murphy: "Calendar it two weeks from today. The seventh of July."

Chief Gain: "The seventh of July. The second item is the Officer of Citizens Compalint Hearings and as I recall, we discussed having the hearing the 19th and then afterwards the Commission was going to discuss possible setting of future dates. What I would recommend to the Commission is that we do not set any further dates for public hearings until such time as we in fact get the City Attorney's Opinion. Let's hope it will be within a couple of weeks."

Commissioner Siggins: "We had hoped to get it next week so let's put it over and bring it up again next week."

Commissioner Murphy: "What do we have to do as far as keeping this on Calendar so when the City Attorney's Opinion does come we will not have to put it off two more weeks because we haven't advertised the hearings?"

Chief Gain: "I think the Commissioner is stating now that you have to put it on the Calendar for next week?"

Commissioner Siggins: "Yes, put it on the Calendar for setting a date."

Mr. Alfredo Rodriguez: "I feel obligated to ask, about a month and a half ago or two months ago, people were talking about possibly having a City Attorney's Opinion within a month's period of time. Is there some kind of way to maybe ask what's holding it up?"

Commissioner Siggins: "I was at the City Attorney's Office and he is working on it. He has everything set up and he had anticipated having it by now. The members of the Bar Association Committee met with the City Attorney and discussed it and they did recognize the fact that there were a lot of issues that had to be resolved. The Bar Association agreed with me that we should wait and that is the way it stands now."

Mr. Rodriguez: "If it was just a matter of a week it would be no problem with that at all, but you see we have been hearing that for the last month and a half to two months. Now I think that the Commission has done a very fine job on this whole matter from the very beginning, but I think what possibly could expedite the process is if there was a formal sort of request or just an asking of, well where is that legal opinion, is it expected to go beyond two weeks or a week just so that I can go back to various groups in the community and indicate to them, listen we've been told by the Police Commission that we won't get that before two weeks or we won't get that before three weeks."

Commissioner Siggins: "Well, I tell you what I will do, I will call the City Attorney tomorrow, if I can get him, and ask him how much longer it will be and if you want, I will be available tomorrow afternoon."

Mr. Rodriguez: "That sounds fair, thank you."

Commissioner Siggins: "Chief?"

Chief Gain: "If I may relate the last thing in regards to the position of the Director of Community Relations that the Civil Service Commission this week, on a tie vote, 2 to 2, did not classify that position as an exempt position as the Commission had requested. The procedure now, I have written a letter to the Civil Service Commission and as I understand it, is going to take a majority vote to get it back on the Calendar and that is what I am asking to do. So we won't know for sometime as to whether they are going to do it or not. But we are pursuing it to try to get it before the Commission again."

Commissioner Siggins: "What does it need to pass?"

Chief Gain: "It needs a majority."

Commissioner Murphy: "Was the fifth person away or not voting?"

Chief Gain: "Absent. Commissioner Alioto was not there."

Commissioner Murphy: "I see. What was the rationale of the two that voted against it? It was my understanding that we were empowered to create an exempt position any time we wanted to."

Chief Gain: "Well, yes, according to the Charter the Commission can create the position subject to the.... first going to the Civil Service Commission where they would recommend favorably to the Board. If they do not do that then the Commission can go directly to the Board. Now their rationale, one Commissioner who voted negatively didn't state why, the other one said something to the effect, as I recall, of having a brother who is a policeman somewhere. And that was the best I could get out of that, a Highway Patrolman. Then that Commissioner also

stated a concern over a member of the Police Department stating that there is a change in the nature of the job as between 1971 and the present. That same Commissioner has expressed a concern about exploring the evidence that has been submitted by that police person at that time although the Civil Service Commission staff had stated that there was no difference as between years ago and now in that position. So those were the two reasons that that person gives. That concludes my report Mr.Commissioner."

Commissioner Ciani: "I am not sure that I understood the answer to Commissioner Murphy's question. We have the authority to create a position but yet they have the authority to approve it. Our authority doesn't amount to very much."

Chief Gain: "Yes, but if they would approve, they would recommend favorably to the Board of Supervisors if they disapprove, which they did, then the Commission can go directly to the Board with the request."

Commissioner Ciani: "We are going to make another run at the Civil Service Commission?"

Chief Gain: "One more run at the Civil Service Commission, if they act negatively again then I would suggest with the Commission and I will be recommending it, submit a supplemental budget request after 1 July and that would go presumably directly to the Board of Supervisors."

Commissioner Ciani: "Well, that would have to be done in any event, would it not, since that position is not a part of our present budget for this fiscal year, but you would incorporate in it the appeal from the Civil Service Commission's decision with that budget request at that time?"

Chief Gain: "Well, if that is appropriate. What we may be faced with, we may be faced with a situation where if it's happening on 1 July, it could well be that we would just have to submit a new supplemental budget request which would have to go through the Mayor's Office and through the Civil Service Commission again. It may be that way because we are dealing with fiscal year changes. But whatever we have to do I will keep pursuing. Our expert is here."

Sergeant David Roche, Legal Office: "It would have to be a bifurcated procedure. It would have to go before the Board on the issue of the exemption and that only needs a majority vote, six votes. Assuming we get the six votes, which is very shaky, then we have to go through the supplemental procedure and that would require eight votes because this has already been subject to a previous denial by the Board, so then a financial item that is subject of a previous denial needs a three quarter vote for approval."

Commissioner Murphy: "Three quarters vote or two thirds?"

Sergeant Roche: "Eight votes. Six votes maybe there but eight votes is going to be very very difficult."

Chief Gain: "If all that is clear, that concludes my report."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Osvaldo Benedetti 300 Sweeny Street San Francisco, California	Miguel A. Hernandez 1040 Guerrero Street San Francisco, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 263-76

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective 0800 hours, Thursday, June 24, 1976, the Rules and Procedures of the San Francisco Police Department are hereby amended to rad as follows:

AMENDED
RULE 3.193 PROPERTY CLERK

Shall except on Sundays and legal holidays, keep his office open for business from 0800

hours to 1700 hours. The Chief of Police may, when necessary to accommodate the public, or in an emergency, order said office kept open on Sundays, legal holidays, or during such hours as the Chief of Police may direct.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

HEARING TO DETERMINE IF PACIFIC PUBLIC CARRIERS COOPERATIVE, INC., ARE VALID INSURANCE CARRIERS FOR SAN FRANCISCO PUBLIC VEHICLES FOR HIRE, CONTINUED FROM JUNE 16, 1976 - CONTINUED OFF CALENDAR

Mr. Walter Hoffman appeared on this subject and stated that he hoped the City would step in and take the necessary steps to block all of the assets of Pacific Public Carriers Cooperative, Inc., because nobody knows how much the public will be damaged by Mr. Maury Frohman, the person in charge of Pacific Public Carriers Cooperative, Inc.

Commissioner Siggins then advised Mr. Hoffman that at the present time Pacific Public Carriers is being run by the Insurance Commissioner and that the Insurance Commissioner has been appointed the conservator of the assets for the company.

Mr. Hoffman then stated that he was aware of this and he believed that this Commission bent over backwards to help Mr. Frohman. He further stated that he would hope something would be done to see that this kind of thing would not happen again.

Commissioner Siggins stated that the only reason it was on the calendar this time was because the company's attorney requested that it be put over to this date while they attempted to qualify for the Insurance. Since no one showed up in behalf of the company, the matter would be continued off calendar. The Commissioner then assured Mr. Hoffman that this kind of thing would not happen again.

Mr. Arthur McCauly requested to speak at this time on a related subject. He stated that the related subject was timely now because it is before the Fire, Police and Safety Committee of the Board of Supervisors, File No. 182-76; a recommendation by Supervisor Dorothy vonBeroldingen to change the Ordinance which presently requires a minimum of two (2) million dollars excess insurance for carriers in categories in the Veterans, Luxor and DeSoto Cab Companies. These Companies wish to have this eliminated. Mr. McCauly also stated that not only should this amount of insurance be retained by the Code but the drivers who are hired by these companies are not being thoroughly investigated by the Police Department. He requested that the Police Department send a representative when this matter comes before the Fire, Police and Safety Committee of the Board again to tell

them why this amount of insurance is necessary. He states it is necessary for the safety of the citizens of San Francisco because of the kind of drivers the companies are hiring.

Commissioner Ciani requested to know how are current cab drivers screened.

Captain George Sully, Department Secretary, advised the Commission that each applicant for a driver's permit is examined by a police officer designated by the Chief of Police and they must meet all the requirements of 1115 to 1160 of the Municipal Police Code. If the results of the examination are unsatisfactory, the applicant would be refused a permit.

Commissioner Siggins: "Thank you, Captain."

RESOLUTION NO. 261-76

PATROL SPECIAL OFFICER JOSE CORDERO - REVOKED

RESOLVED, that the appointment of Jose Cordero as Patrol Special Officer for Beat No. 20, Central Police District, be, and the same is hereby revoked effective June 23, 1976, he having sold his beat to Patrol Special Officer Albert L. Robles.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 262-76

PATROL SPECIAL OFFICER ALBERT L. ROBLES - APPROVED

RESOLVED, that Albert L. Robles be, and he is hereby appointed a Patrol Special Officer for Beat No. 20, Central Police District, said appointment effective June 23, 1976, he having purchased Beat No. 20, Central Police District, from Jose Cordero.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

COMMUNITY BOARD PROGRAM, RAYMOND SHOMHOLTZ

Mr. Raymond Shomholtz appeared before the Commission and there was a general discussion regarding his proposal. He stated that for the last

three or four months he has been teaching over at USF Law School and that during that period of time he had been discussing with both the Community and Law Enforcement the idea of developing an alternative program to the traditional Criminal Justice Model. He further stated that that alternative was basically a Community Board System. For example, instead of arresting a person in particular types of cases, the idea is to experiment by starting small in two different areas. The geographical districts of the Boards would be High School Districts. To look at instead of an arrest, a citation process, that people would be, in fact, be cited to the Community Board System. Basically the concept is citizen responsibility. It is every citizens' responsibility to understand the system and to want to participate in it. Just like jury duty, paying taxes, going to the military, etc., it is a citizens' responsibility. He went on to say that "The Boards are reasonably expensive. They vary depending on how many we have. The more we calculate, the cheaper it gets. But if we predicate it upon two Boards the basic cost is about $50,000 dollars per board. The cost comes from the staffing of the Board, there would be a Director, a Community Educator, Organizer Secretary, enough money for a store front office, telephone and some travel money, criss-crossing the High School District and that roughly comes to about $50,000.00 each year. Conceptionally, the Community Boards would be the outer boundary lines of the Criminal Justice System. You could use the Community Boards if youwanted to, the Community Boards would have before them those cases for referral services you would not have to essentially pass through the Criminal JusticeSystem to get any referral agencies service. I see the Community Boards basically as being a preventive law program, being run by citizens and I think that is the final and most important part of the program."

He then went on to say that his purpose today was to share the information with the Commission. That he was not ready to come before the Commission and say here is the full model, that he would much prefer to keep the Commission informed and give regular reports about how the concept is proceeding.

The Commission then thanked him for his presentation.

REQUESTING THE POLICE COMMISSION TO ADOPT A RESOLUTION APPROVING THE CONFLICT OF INTEREST CODE FOR THE SAN FRANCISCO POLICE DEPARTMENT - CONTINUED ONE WEEK.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

725 PORTOLA DRIVE - ONE HOUR MARTINIZING

a) At 725 Portola Drive, install a 22' yellow zone, to extend from 113' - 135' west of Fowler Avenue.

729 PORTOLA DRIVE - TOWER TV

a) At 729 Portola Drive, install a 22' yellow zone, to extend from 135' - 157' west of Fowler Avenue.

1707 POWELL STREET - WASHINGTON SQUARE BAR & GRILL

a) At 1707 Powell Street, install a 40' white zone, to extend from 36' - 76' south of Union Street. (also permission to display portable No Parking signs in conjunction with this white zone.) -

b) REmove parking meters POWELL 1703 & 1705.

347 DOLORES STREET - NOTRE DAME SCHOOL

a) At 347 Dolores Street, revoke two 40' white zones.

#10 DUNCAN STREET - ST. LUKE'S HOSPITAL

a) At #10 Duncan Street, install a 44' yellow zone, to extend from 65' - 109' west of Tiffany Avenue.

#609 O'FARRELL STREET -ACE TRAVELS - CONTINUED FROM THE MEETING OF JUNE 16, 1976 - CONTINUED TO THE MEETING OF JUNE 30, 1976 - GREEN ZONE.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

REVOKED

RESOLVED, that the recommendations of the

Traffic Bureau on the revocation of 80 feet of white zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RETIREMENT:

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Thomas F. O'Flanagan, Park Police Station, for industrial disability, effective February 1, 1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Monday, June 14, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	48	53
Daily average for the week disabled	108	109
TOTALS	156	162

This is a decrease of six (6) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.67	2.95
Daily percentage for the week disabled	6.27	6.28
TOTALS	8.94	9.23

Disabled at start of week	106
Started during the week	13
Returned during the week	14
Disabled at the end of week	105
Net Gain or Loss	-1

Sick and Disabled for the week ending Saturday, June 28, 1975 at 2400 hours:		Sick and Disabled for the week ending Saturday, May 21, 1976 at 2400 hours:	
Daily average for the week sick	61	Daily average for the week sick	47
Daily average for the week disabled	68	Daily average for the week disabled	117
TOTALS	129		164
Daily percentage for the week sick	3.26	Daily percentage for the week sick	2.62
Daily percentage for the week disabled	3.74	Daily percentage for the week disabled	6.75
TOTALS	7.00		9.37

The report was ordered filed.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

The Commission then adjourned its meeting.

SECRETARY

F
45
2
0/76

DOCUMENTS
JUL 13 1976
SAN FRANCISCO

30 JUNE 1976 = Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 30, 1976, at 1730 hours, in regular session:

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of June 16, 1976 and June 23, 1976, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I would like to report on two things. Last week, the question was asked, 'what is the criteria for approving zoning requests,' Commissioner Ciani asked that question and looking into that, we do not have explicit criteria that we should have, but now we are doing some research and so instead of just reporting of what the criteria is we will submit to you by next week a report containing suggested criteria for the Commission's consideration. The other matter is that next week I will be submitting to you a Reorganization Plan for calendaring it for Public Hearings. That is all I have for you."

Commissioner Siggins: "Thank you, Chief."

Commissioner Gallegos: "I am just curious Chief, of why in fact is the 4th of July holiday whether we are asking the force to work overtime or what.....?"

Chief Gain: "Yes sir, we cancelled watches off, or days off because of the parades and a number of activities that are taking place. We are hoping of course, that it will be peaceful but we have to have contingency plans in the event that there are crowd control problems among others. So therefore, we will have a substantial number of officers working."

Commissioner Murphy: "Are you doing anything to control the use of firecrackers and that sort of thing?"

Chief Gain: "Well, we put out a press release and we hope that it will have some effect so that it will prevent injuries and of course try to keep the noise down. We are not too hopeful based on past experience, that that will have too much effect.

Commissioner Murphy: "Well, I was just thinking of the fire danger."

Chief Gain: "We are doing the best we can and the Fire Department also is taking some action by way of public notice."

Commissioner Gallegos: "Again on the time, is that overtime which we will then have to go and get a Supplemental?"

Chief Gain: "No, no Supplemental because fortunately we have the next fiscal year after July 1, so there will be overtime involved, but then we will have overtime funds to accommodate that. We will keep overtime down to the extent that we can, but because of potentialities, regular policing, plus the parades and other type of events, that it will result in some overtime. But we do have adequate funds for that."

Commissioner Ciani: "I have a question on a completely unrelated matter regarding a Resolution from the Board of Supervisors relating to permanent part time employment, have you given this any thought or do you have any plans for the creation within the Department for such positions?"

Chief Gain: "No, I have a copy of that, and in fact, I have not given any thought to it. I don't know really, what's behind it. But we will look into it, I just have a copy on my desk."

Commissioner Ciani: "What might be behind it is similar action on the part of Federal Agencies trying to create more positions that might be filled by women. Part time positions are more likely to be of interest to women who have families. So that may be the relationship."

Chief Gain: "We have no budgeted money for that. I just read into it for what it's worth and perhaps it's a matter of using part time persons to save money. But I know we have no budgeted funds for any additional personnel in the Department."

Commissioner Murphy: "How many employees do we have that

are straight Civil Service. not sworn personnel?"

Captain Sully: "Over 500."

Commissioner Murphy: "They are mostly clerical?"

Captain Sully: "That includes Parking Controlman, Traffic Control Officers, Station Officers and others."

Commissioner Siggins then called for the next item.

POLICE COMMISSION DISCUSSION REGARDING PLANS FOR SETTING OF FUTURE HEARING DATES ON THE BAR ASSOCIATION'S CITIZEN COMPLAINT PROCEDURES. - CONTINUED ONE WEEK.

The Commission conducted a general discussion on this issue with the pending City Attorney's Opinion holding in abeyance the definite setting of further public hearing dates on The Bar Association's Proposal. Commissioner Ciani stated that if the City Attorney's Opinion has not arrived by Friday, July 2, then the Commission should direct a formal request in writing to the City Attorney asking him to expedite it's preparation and send it to the Commission by the next meeting. Commissioner Siggins stated that if the City Attorney's Opinion did arrive on Friday, the Police Commission would probably set definite hearing dates at its next regular meeting of Wednesday, July 7, 1976. He also stated that at this time the first Community Hearing date would be Thursday, July 29, 1976, at Le Conte School, Army and Harrison Streets. Proponents of the proposal agreed with this decision and further discussion continued as to how to disseminate the contents of the City Attorney's Opinion, upon its arrival, to all parties concerned. Chief Gain stated that the Police Department would reproduce sufficient copies of the Opinion .

Commissioner Siggins stated that the matter would be discussed again at next week's meeting.

REQUEST OF THE LEAGUE OF WOMEN VOTERS OF SAN FRANCISCO FOR THE POLICE COMMISSION TO ENDORSE A CHARTER AMENDMENT CALLING FOR THE RULE OF THREE (3) FOR ENTRY LEVEL AND PROMOTIVE CIVIL SERVICE POSITIONS. ESTHER MARKS TO SPEAK ON THE SUBJECT.

Ms. Ann Anderson of the League of Women Voters appeared before the Commission and stated that the League of Women Voters support measures to provide a flexible

and adequately financed Civil Service System based on merit. She further stated that in 1969 the League made a study of the structure, functioning and financing of the San Francisco Civil Service System. She stated that one of the recommendations as a result of that study was that the rule of one should be replaced by at least the rule of three. She then summarily explained the leagues reasons and background for their request. Chief Gain stated that speaking for the administration of the Department, he supported the Rule of 3. Commissioner Siggins acknowledged the request of Police Officer John Ballentine of the Police Officers' Association to speak on this subject and he stated that this Amendment would be faced with a lot of opposition and would not be feasible for purposes of the Police and Fire Departments. Another member of the audience, Mr. Duke Smith, was also permitted to speak and he stated that the County Democratic Council two weeks ago adopted a Resolution supporting this Charter Amendment for the November Ballot.

Further discussion was held on the issue and the Police Commission adopted the following resolution:

RESOLUTION NO. 281-76

REQUEST OF THE LEAGUE OF WOMEN VOTERS OF SAN FRANCISCO FOR THE POLICE COMMISSION TO ENDORSE A CHARTER AMENDMENT CALLING FOR THE RULE OF THREE (3) FOR ENTRY LEVEL AND PROMOTIVE CIVIL SERVICE POSITIONS - APPROVED

WHEREAS, on June 15, 1976, the Police Commission received a letter from the League of Women Voters of San Francisco advising that they are supporting a Charter Amendment introduced by the Honorable John L. Molinari, member of the Board of Supervisors, calling for the Rule of three (3) for entry level and promotive Civil Service positons; and

WHEREAS, Mrs. Ann Anderson, representing the League of Women Voters of San Francisco, appeared before the Police Commission on Wednesday, June 30, 1976, and presented their reasons for supporting this amendment, and also requested an endorsement in principle of the amendment from the Police Commission; and

WHEREAS, it was further stated by Mrs. Ann Anderson, League of Women Voters of San Francisco, that the Legislative and Personnel Committee of the Board of Supervisors will begin hearings early in July on the amendment to be placed on the November, 1976 ballot; and

WHEREAS, the Police Commission conducted a general discussion on the matter, and opened the discussion to members of the audience who spoke in support of the amendment and against the amendment; and

WHEREAS,the Police Commission feels that the Charter Amendment calling for the rule of three (3) for

entry level and promotive Civil Service positions, should be endorsed by this Commission; therefore be it

RESOLVED, that the request of the League of Women Voters of San Francisco for the Police Commission to endorse in principle a Charter Amendment calling for the Rule of Three (3) for entry level and promotive Civil Service positions, be, and the same is hereby approved.

AYES: Commissioners Caini, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

POLICE COMMISSION DISCUSSION REGARDING REQUESTS OF THE BOARD OF SUPERVISORS RECEIVING INFORMATION AS TO WHEN POLICE OPERATIONS WILL COMMENCE IN THE HALLIDIE PLAZA FACILITY. - CONTINUED ONE WEEK

Chief Gain" "Mr. President, if I may, I would request that this item be put over for one week and in the interim I would request that the Commissioners visit Hallidie Plaza and I think that would be beneficial and also I would like to provide you sufficient time to study a document of which I will deliver to you this week."

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REQUESTING THE POLICE COMMISSION TO ADOPT A RESOLUTION APPROVING THE CONFLICT OF INTEREST CODE FOR THE SAN FRANCISCO POLICE DEPARTMENT - CONTINUED FROM THE MEETING OF JUNE 23, 1976 - CONTINUED TO JULY 7, 1976.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 264-76

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department be, and they are hereby granted Awards of Valor - Silver Medal and Bronze Medal under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as

approved by the Awards Committee on Friday, June 25, 1976:

Police Officer Thomas A. Arnold.....Silver Medal of Valor

Police Officer James S. Lomax.....Silver Medal of Valor

Sergeant David R. Winn.....Bronze Medal of Valor

Police Officer Bob C. Davis.....Bronze Medal of Valor

Police Officer Allan C. Duncan.....Bronze Medal of Valor

Police Officer Jerry F. Heffernan.....Bronze Medal of Valor

Police Officer Waldo H. Jackson.....Bronze Medal of Valor

Police Officer Daniel G. Marr.....Bronze Medal of Valor

Police Officer Walter L. Pinosky.....Bronze Medal of Valor

Police Officer William S. Taylor .....Bronze Medal of Valor

***Police Officer John E. Tursi.....Bronze Medal of Valor

Police Officer Patrick J. White.....Bronze Medal of Valor

***NOTE: AWARDED TWO (2) BRONZE MEDALS OF VALOR.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 265-76

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Friday, June 25, 1976; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Thomas A. Arnold and James S. Lomax be, and they are hereby awarded Silver Medals of Valor, and granted a reward of $100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant David R. Winn, Police

Officers Bob C.Davis, Allan C. Duncan, Jerry F. Heffernan, Waldo H. Jackson, Daniel G. Marr, Walter L. Pinosky, William S. Taylor, John E. Tursi (awarded two (2) Bronze Medals of Valor; $50 for each award) and Patrick J. White, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of $50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REVISED FIELD STOP PROCEDURES

Commissoner Siggins stated that in regard to the Revised Field Stop Procedures that he would like for the record to show that Officer Battle of the Officers For Justice and Officer John Ballentine of the Police Officers' Association had received copies of the procedures at this meeting with the direction that they indicate whether their associations desired a meet and confer session on said procedures.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the T5affic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

251 GEARY STREET -
121 & 161 O'FARRELL STREET
211 STOCKTON STREET - MACY'S

a) At approximately 251 Geary Street, install a 44' white zone, to extend from 123' - 167' west of Powell Street -(also revoke existing 44' yellow zone, and remove parking meters GEARY-231 & 233.)

b) (#1) At approximately 121 O'Farrell Street, install a 40' white zone, to extend from 55'-95' east of Stockton Street.

(#2) At approximately 161 O'Farrell Street, install a 40' white zone, to extend from 138'-178' west of Powell Street - (also revoke 42' yellow zone, and remove 2 parking meters.)

c) At approximately Stockton Street, install a 51' white zone, to extend from 118'-169' south of Geary - (also revoke 51' yellow zone at that location.)

d) Permission to display portable"No Parking" signs in conjunction with the above zones.

1409 HAIGHT STREET - WHITE RABBIT

a) At 1409 Haight Street, install a 22' yellow zone, to extend from 48' - 70' west of Masonic Avenue.

150 FOLSOM STREET - PACIFIC ELECTRICAL INSTRUMENT LAB.

a) At 150 Folsom Street, install a 24' yellow zone, to extend from 96' - 120' west of Spear Street.

609 O'FARRELL STREET - ACE TRAVELS

a) At 609 O'Farrell Street, install a 22' green zone, to extend from 60' - 82' west of Leavenworth Street.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 137 feet of yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 266-76

THELMA L. DE LONG

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Thelma L. DeLong in the sum of $2,500.00 in Municipal Court Action No. 721940 entitled , "Thelma L. DeLong v. the City and County of San Francisco, et al.," as the

result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1975

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 267-76

HORACE J. WOODS

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 322422 in the sum of $52.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 16, 1975.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 268-76

MARSHA K. GLANTZ

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 322 486 in the sum of $25.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 25, 1976.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 269-76

SHUI S. CHAN AND CALIFORNIA STATE AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Shui S. Chan and the California State Automobile Association against the City and County of San Francisco in the sum of $174.12 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 8, 1975

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 260-76

WILLIAM STERN AND FIREMAN'S FUND AMERICAN INSURANCE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Stern and Fireman's Fund American Insurance Company against the City and County of San Francisco in the sum of $37.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 26, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 271-76

STANLEY VINCE ANASTASIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stanley Vince Anastasio against the City and County of San Francisco in the sum of $186.94 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 26, 1976

AYES: Commissioners Ciani. Gallegos, Murphy, Siggins

NOT VOTING; Commissioner Hall

RESOLUTION NO. 272-76

FRED MEYERS AND CALIFORNIA STATE AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred Meyers and the California State Automobile Association against the City and County of San Francisco in the sum of $194.10 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 3, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 273-76

DAVID NORDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Nordson against the City and County of San Francisco in the sum of $21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 274-76

DAVID ANDERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Anderson against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 15, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 275-76

ZVI GABAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zvi Gabay against the City and County of San Francisco in the sum of $22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 1, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 276-76

RICHARD WELLS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Wells against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow,be, and the same is hereby approved.

Date of Incident: March 25, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 277-76

J. MARTY O'DONOHUE

RESOLVED,that the recommendation of the City Attorney for settlement of the claim of J. Marty O'Donohue against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1976

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 278-76

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of $80,220.00 from the following appropriation number in the amount shown:

Appropriation No. 6.161.110.000.000 Permanent Salaries-Uniform Force $ 80,200.

and credit it to the following appropriation in the amount indicated:

Appropriation No. 6.161.110.000 000 Permanent Salaries-Uniform Force $80,220.

to correct an error in the salary ordinance relating to Q2 Police Officers and Q20 Police Women classifications.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Monday, June 21, 1976 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	44	48
Daily average for the week disabled	102	108
TOTALS	146	156

This is a decrease of ten (10) members off duty daily from the previous week.

		PREVIOUS WEEK
Daily percentage for the week sick	2.44	2.67
Daily percentage for the week disabled	5.93	6.27
TOTALS	8.37	8.94

Disabled at start of week	105
Started during the week	21
Returned during the week	31
Disabled at the end of week	95
Net Gain or Loss	-10

Sick and Disabled for week ending Saturday, July 5, 1975 at 2400 hours as follows:		Sick and Disabled for week ending Saturday, May 29, 1976 at 2400 hours as follows:	
Daily average for the week sick	45	Daily average for the week sick	53
Daily average for the week disabled	64	Daily average for the week disabled	116
TOTALS	109		169
Daily percentage for the week sick	2.37	Daily percentage for the week sick	2.95
Daily percentage for the week disabled	3.54	Daily percentage for the week disabled	6.70
TOTALS	5.91		9.65

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 279-76

POLICE OFFICER DONALD FORTE, TARAVAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Donald Forte, Taraval Police Station, as follows:

SPECIFICATION NO. 1

Using unnecessary force on a prisoner. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Captain of Police, Commanding Officer of Taraval Police Station; therefore be it

RESOLVED, that the date for setting of the hearing before the Police Commission on charges filed against Police Officer Donald Forte, Taraval Police Station, be, and the same is hereby set for Wednesday,

July 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 280-76

POLICE OFFICER VLADIMIR SHEGOLEFF, TARAVAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Vladimir Shegoleff, Taraval Police Station, as follows:

SPECIFICATION NO. 1

Using unnecessary force on a prisoner. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Captain of Police, Commanding Officer of Taraval Police Station; therefore be it

RESOLVED, that the date for the setting of the hearing before the Police Commission on charges filed against Police Officer Vladimir Shegoleff, Taraval Police Station, be, and the same is hereby set for Wednesday, July 7, 1976 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.

SECRETARY